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OFFICIAL LETTER BOOKS

OF

W. C. C. CLAIBORNE

1801-1816

EDITED BY

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LETTER BOOKS OF W. C. C. CLAIBORNE

1806–1809

To Cowles Mead

Secy. of the Mississippi Territory.

Nachitoches Sepr. 5th 1806.

Sir,

I inclose for your perusal and information a Copy of my last letter to the Secretary of War, which, with the Documents inclosed, will acquaint you of the State of things in this quarter.

I am sorry that the orders to Major Porter were ever given; but still more so, that they have in any manner been countermanded.

Men who form opinions without reflection, and other's, who on all occasions delight to censure the Conduct of public officers may take exceptions to my present state of Inactivity. But with those, whose good opinion I desire, I shall stand excused, when I observe, that whatever my private opinion or wishes may be, it is impossible for me, to do ought in my public Character, which my Superiors have not sanctioned; unless in cases, where my immediate duty compels me to act.

It remains for me to thank you sincerely for the disposition, which you have manifested to render propt assistance to this Territory, in the event of danger; to suggest to you the expediency of keeping your Militia prepared to take the field at a moments warning, and to assure you of the Confidence and Esteem of &c.

Signed Wm. C. C. Claiborne.

On Friday the 5 of September, 1806, the grand Chief of the Caddo Nation, accompanied by twelve or fifteen of his warriors, arrived at Nachitoches, and on the following day Governor Claiborne, in the presence of the officers of the Army, and many respectable Citizens, made to the Chief an Address, of which the following is a Copy.

Grand Chief of the Caddo Nation.

Friend and Brother!

That great and good man, the president of the United States esteems you and your people. Like the rising sun that gives light and comfort to the world, expands the cares of the American chief, and his desire is to promote the happiness of all mankind. He is particularly solicitous to better the condition of his red children; he wishes them to know war no more; to live in peace with all their neighbors; to pursue the deer in safety; to cultivate their little fields of corn without fear, and that no enemy should disturb their sleep at night.

Such Brother, are the sentiments of the grand American chief; You have before heard his words from the mouth of his agent (Doctor Sibley), and I hope you have not forgotten them.

Brother! There are some men whose tongues are like the tongues of snakes—they talk much, and often speak that which is not true. Distrust the man who would tell you, that the President of the United States was not your friend; the man who would say so has a forked tongue and tells lies.

Brother! Let your people continue to hold the Americans by the hand with sincerity and Friendship, and the Chain of peace will be bright and strong; our children will smoke together, and the path will never be colored with blood.

Brother! The President of the United States is the friend of peace; but he fears not war! The time was many years past, when a mighty king, who lives beyond the big water, made war upon the Americans, and sent his warriour to conquer our country. Many battles were fought, and much blood was spilled. The Americans were then few in number, but fought with bravery, and the warriors of that great king were forced to return to their own land. We were then a young people, but have now grown up to manhood, and could strike an enemy with a heavier hand, and a stronger arm.

Brother! The President of the United States is just to all nations; but if a nation is unjust to his people, his own warriors can fight his battles. You have seen but a small number of these warriors. they are spread over an immense tract of Country; some live where snow seldom falls, and others where armies can cross rivers upon the ice.

Brother! We have some dispute about the limits of Louisiana; the Americans suppose that the limits extend far towards the setting sun, but our neighbors, the Spaniards, tell us, that a little dry bayou, which you passed yesterday, is the line.

Brother! You know we got the country from the French, and that the Americans now claim all the land which the French formerly possessed.

You are an older man, brother, than I am, and must know something of the matter; You have seen the places where the French build forts and planted corn; Your fathers knew well the French, and when you was a little boy, You have, I am sure, often visited them.

Brother! The talk (at this time) is not straight between the United States and Spain: but I hope no mischief will ensue, for a council fire is now burning, and the beloved men of the two nations are endeavoring to settle the dispute. But if it should so happen that the

Americans must bid their Swords to leap from the scabbard, we wish not your tomahawks to rise. When white people enter into disputes, let the red men keep quiet, and join neither side.

Brother! These are my words; I speak in the face of day. And tell what you have heard to the traveller, and to the hunter, so that the good talk may pass from mouth to mouth, and from nation to nation, to the very place where the sun sets!

Signed Wm. C. C. Claiborne

To which address (after the usual solemnity of Smoking the pipe) the Chief returned the following answer:

"I am highly gratified at meeting to day with your Excellency and so respectable a number of American officers, and shall forever remember the words you have spoken.

"I have heard, before, the words of the President; though not from his own mouth:— his words are always the same; but what I have this day heard will cause me to sleep more in peace.

"Your words resemble the words my forefathers have told me they used to receive from the French in ancient times. My ancestors from Chief to Chief were always well pleased with the French; they were well received and well treated by them when they met to hold talks together, and we can now say the same of you, our new friends.

"If your nation has purchased what the French formerly possessed, you have purchased the country that we occupy, and we regard you in the same light as we did them.

"Your request that our wars in future may be against the * * *

Manuscript torn

* * * have voluntarily offered their services, and

among them are a number of the ancient Louisianians, a circumstance that affords me singular satisfaction; from Rapide I only required 100 privates. The returns from the other Counties, are not received, I have, however, no doubt but they will each manifest a sincere attachment to their *Country,* and *her* Interests.

Pending the negociations with Spain, it perhaps, was best to have suspended the orders of the 20th of November; I cannot, however, but regret, that the same publicity could not have been given to the second as to the first order.

I have noticed with much pleasure, the preparations for taking the field, which have been made here under the directions of the Commanding officer; he has eight field pieces nearly equipped for service, and the necessary quantity of ammunition will in a few Days be prepared. Considering his means much has been done, and with more expedition, than could have been expected.

I shall set out on this day, on my return to New Orleans; but shall continue in the County of Attackapas for two or three Weeks, unless my presence in the City should be sooner necessary.

Signed Wm. C. C. Claiborne

To Cowles Mead

Nachitoches Sept. 9th 1806.

Secy. of the M. T.

Sir,

I inclose you a Copy of my last letter to the Secretary at War.

I do not think that my presence here, is longer necessary, and have therefore determined to proceed to Attackapas, by the way of Rapide and Opelousas.

Perhaps the inactivity of our Troops in this quarter,

may not have been improper,— Perhaps our dispute with Spain may at this time be amicably and honorably adjusted, and if so, we shall all rejoice that Blood was not shed; But my present impression is, that "all is not right". I know not whom to censure, but it seems to me, that there is wrong some where. Either the Orders to Major Porter, (which have been published) ought not have been issued, or they should have been adhered to and supported.

Signed Wm. C. C. Claiborne

To Col. Cushing

Nachitoches Sepr. 9th 1806.

Sir,

If any official letters should arrive at this Post, you will much oblige me, by forwarding them to me, by express; Your Messenger may be directed to pass by the route of Rapide where I shall continue two or three Days; from thence I shall proceed to Opelousas, and it is not probable, I shall leave that Country previous to the month of October.

It is known to you that I have ordered a respectable Detachment of Militia to hold themselves in readiness to march at a moment warning. It only remains for me to inform you, that this measure has been resorted to with a view to the safety of this Territory, and I request, that whenever in your opinion, their services may be necessary, that you would apprise me thereof.

Signed Wm. C. C. Claiborne

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* * * Manuscript torn * * * on this point, that I cannot even hazard an opinion, as to their present force.

The Militia of this Territory have evidenced much

patriotism, and I am happy to inform you, that many of the French Inhabitants have voluntarily offered their services; Whenever therefore, the occasion requires, and my powers permit, I am prepared to detach for duty a respectable militia force.

On my arrival at Nachitoches, I was led to believe that the French Inhabitants were very Generally disaffected; but my present impression is very different; I do now believe, that if an opportunity offers, many of them, will evince their fidelity to the Government.

I have from various sources received assurances of the friendly disposition of the Indians, and the General Opinion here is, that in the event of a Rupture between the United States and Spain, they (the Indians) will remain neutral.

On the 2d of this month everything was tranquil in New Orleans, and our Neighbours on the Mobile and at Pensacola had (recently) made no unfriendly movements.

When I shall see General Wilkinson I shall probably learn the orders of the President with respect to the armed force that have Crossed the Sabine, & I pray you to be assured, that these orders, as far as my Co-operation may be required, shall be faithfully Executed.

Signed Wm. C. C. Claiborne

To Henry Dearborn

Rapide Sepr. 18th 1806.

Sir,

I am still here in daily expectation of seeing General Wilkinson on his route to Nachitoches. I continue ignorant as to the views of the Government in this quarter. When I went to Nachitoches, I expected that the Orders of the 20th of November to the Commanding officer, were

imperative, and that an attempt would be made to drive the Spaniards beyond the Sabine: On my arrival I found the Military Commander (Colo: Cushing) not disposed to act on the offensive, *until further orders,* and when I left the Post, he continued of the Same opinion. Report now says (for I have no official information) that on the arrival of the General, the Spaniard will be forced to retire, and that such are the positive instructions of the President.

I beg you to understand that I do not undertake to censure Colonel Cushing or any other officer; but I trust my own conduct will be approved. I feel as if my long absence, and distant situation from New Orleans, (a post, which is more immediately assigned to me) required an apology; and I doubt not but the explanations contained in my several letters will be Satisfactory.

Signed Wm. C. C. Claiborne.

From James Wilkinson

His Excellency Near the Rapide of Red River,
Governor Claiborne, Colo: Foulton's, Sepr. 19th 1806.
Sir,

The inclosed extract of a letter from the Secretary of War, will explain the cause of this address.

The knowledge you possess of the movements and disposition of the Spanish Force, which has recently violated our territorial Limits, and is at present posted near the Bayou Pierre East of the Sabine River, may I flatter myself enable you to decide, on the probability of my being compeled, (under my Instructions of the 6th of May; from the Executive of the United States, which have been submitted to your Inspection) *to resort to force for the protection of our Western Frontier, and the vindication of our national Rights and Honor.*

You will remark in my Instructions an exception,

(relative to the trifling settlements of the Bayou Pierre) favorable to the occupancy of the Spaniards; but it strikes me that this exception, will not warrant the pretensions set forth, to the Jurisdiction of the Territory we claim East of the Sabine, much less to advance their Military Patroles daily (as I am informed they do) within eighteen miles of our Post of Nachitoches.

It is my solemn duty as well as my sincere disposition, to preserve the Peace of our Country, by the extension of our patience and forbearance to the utmost Limit, compatible with the safety of these settlements and the honor of the Nation, which are held superior to every other consideration, and must be asserted at all hazards.

Without designing to influence your judgment, I will observe that my orders being imperative, I shall insist on the Jurisdiction of the United States Westward to the Sabine River, and if the Spanish Commander resists this claim hostilities must inevitably ensue: Should you therefore be of opinion, that the measure I propose may produce a Conflict, I will thank you to inform me, what number of Militia may be safely calculated on from the Territory over which you preside: The Species of Troops and the condition of the men for Equipments, Arms and accoutrements, and when and where they can be assembled with the greatest convenience and promptitude.

And you will oblige me, by giving me your opinion of the number which may be necessary, in conjunction with three hundred and fifty Regular Infantry, and two hundred and fifty Militia from the Mississippi Territory, to meet the actual or probable force of the Spaniards, with a reasonable assurance of Victory; which you must be sensible is vitally important to the general safety of the Territory.

Signed Ja: Wilkinson.

To James Wilkinson

County of Rapide 19th Sepr. 1806.

Sir,

I have read with great attention your Letter of the morning, together with the instructions refered to; and I give it as my opinion, that unless the Spanish Army which has recently occupied various positions East of the *Sabine,* and whose patroles had advanced to within five miles of Nachitoches, should have retired to the Country westward of that *River,* you should lose no time in forwarding your Military preparations, and that force ought to be resorted to "for the protection of our Western Frontier, and the vindication of our National Rights and honor."

I cannot promise you the support of more than four hundred of the Militia of this Territory, officers included; Nachitoches will be the most convenient place of rendez-vous, and I presume the Detachment cannot be assembled in less than fourteen Days. It is not improbable that a stronger reinforcement may be afforded you; perhaps *four hundred and fifty effective Men,* but I do not think, that (in the present state of things) it would be prudent to draw to Nachitoches a greater number. You will recollect the extent of this frontier; and indeed the vulnerable position of the whole Territory; I am unwilling therefore to draw to any one point a large portion of my Militia, least by doing so, I should invite attack in some other quarter.

The Militia which I shall furnish you, will be raw and undisciplined, but are brave and patriotic, accustomed to fatigue, and for the most part acquainted with the Country in which they are to act. The Privates are not well equiped for Service; perhaps two hundred may be possessed of good Rifles; the remainder would require the loan of public arms.

As many of the men composing this Detachment are owners of Horses, you might readily form one or more companies of Cavalry, provided you could supply them with swords from the public stores.

Your experience in the art of War, and the knowledge which on your arrival at Nachitoches you may soon acquire of the Spanish Army East of the Sabine, will enable you to Judge of the force which may be necessary to ensure you a Victory.

Signed William C. C. Claiborne.

From James Wilkinson

To
His Excellency
Governor Claiborne.

Near the Rapide of Red River,
Colo: Foulton's Sepr. 19th 1806.

Sir,

The very menacing aspect of our affairs with the Spanish Government in this quarter, renders it indispensable in my Judgment, to the successful issue of any Military operations which may ensue; that all communication and intercourse between the Citizens and subjects of the two Countries on this Frontier should be immediately interdicted, except under Passports from the competent authority; for until this precaution is taken our opponents are not only informed of our numbers and movements, but derive from our settlements comforts and necessaries essential to the maintenance of their position within our Vicinity, and at the same time by the exertion of a rigorous police they suffer no person to pass or repass, whose attachment to their interests is not unequivocal; and thus while we are exposed in all things, and even contribute to their subsistance, they are perfectly concealed from our Scrutiny, and oblige us to resort to calculation and conjecture to supply the defect of Intelligence.

You are the best Judge in our present equivocal relations with Spain, how this measure may be accomplished, conformably to the general Laws of the Union and the particular Statutes of the Territory; but I do presume the public safety which precedes every other object and consideration, would justify your prohibition of the Intercourse by Proclamation.

Admiting the Spanish force to amount to fifteen hundred agreeably to Colo: Cushing's statement of the 14th Instant, and paying some respect to Governor Cordero's arrival at Nacogdoches, and the various reports of an approaching reinforcement; I consider it my duty to request from you the utmost force you may be able to spare, from the Settlements West of the Mississippi; and as the duration of the service of the Militia to be arrayed, will depend much on Individual caprice, and this force must be uncertain; I deem it materially important to condense all our regular Troops near Nachitoches, which may with safety be taken from the several Posts within the Territory, and to this end should no very weighty objection be opposed to the Measure, I propose to call from New Orleans, every man which can with your consent be spared from that point.

It is my desire the Militia herein required should be assembled at Nachitoches as soon after the first of the ensuing Month as may be, and in making the organization it is desirable, the Field officers should be proportioned to the Military Establishment of the United States, in which the Regimental Field and Staff are confined to a Colonel, Lieut. Colonel, Major and Adjutant, with a Surgeon's mate for each Battalion of three hundred and sixty non-Commissioned officers and Privates. The pay and provisions of these Troops, will be the same with the Established Corps, and every regard will be paid to their accomodation, which the circumstances of the Service may permit; I have directed arms to be for-

warded to Nachitoches, from which the Militia who are without will be furnished: It is proper Company Musters should be made by a Field officer, on the day the march may be commenced, the Rolls to be duly certified and transmitted under seal, to the Inspector of the Army Colo: T. H. Cushing. I acknowledge the Receipt of your response to my letter of this day, to which you will be pleased to consider this an answer; and I will thank you for a prompt reply, to such parts of it as require attention.

Signed Ja: Wilkinson.

To James Wilkinson

Rapide 19th Sepr. 1806.

Sir,

I am impressed with the expediency of opposing (at this particular crisis) some restraint to the indiscriminate intercourse, between the Citizens of the U. States and the subjects of Spain on this Frontier; but it should be done with great caution or otherwise the Agents of Spain in *West Florida* might be disposed to retaliate and bring on a state of things in *that quarter* which without further orders, we are not prepared to meet. I however think it advisable, for the present, to prohibit Intercourse by the way of Nachitoches, (the only route now pursued) unless to Persons, who should be charged with public dispatches, or furnished with passports from some high officer of the Government; this restriction may be enforced under your orders, and in such manner, as to prevent the receipt at the Spanish Camp of the Supplies, to which you allude:— The delicacy & importance of this measure you will observe, and I am persuaded you will use the authority with discretion. I cannot promise with certainty, a greater force, than that tendered in my

letter of the morning; but you may be assured of my disposition to give you on this Frontier as much support as may be in my power to render, without hazarding the security of other parts of the Territory,— With this view I shall return with all convenient dispatch to New Orleans, where I shall be enabled to form a more accurate opinion as to the aspect of affairs, and will then make such disposition of the Militia, as the general safety shall require. My present impression is, that a portion of the regular troops now at *New Orleans* might be drawn to Nachitoches; but I could wish that no decision should be made previous to my arrival *in that City.*

The necessary measures will be taken to hasten the march of a Detachment of Militia to Nachitoches; exertions will not be wanting to render it an efficient Corps, and the field officers shall be as nearly proportioned to the Military Establishment of the United States, as the Law of this Territory will permit.

Signed Wm. C. C. Claiborne.

To Henry Dearborn

Rapide 21st Sepr. 1806.

Sir,

I have the honor to inclose you Copies of several letters which have passed between General Wilkinson and myself. I shall leave this on Tomorrow for Opelousas and from thence to New Orleans.

I shall be detained in Opelousas five or six days, in order to make some necessary arrangements of the Militia, and to hasten the march of a Detachment to Nachitoches.

Signed Wm. C. C. Claiborne

To John Watkins

Mayor of N. O. Rapide 21st Sepr. 1806.

Sir,

General Wilkinson reached here on the evening of the 19th and proceeds to Nachitoches on tomorrow.

An attempt will be made to repel the Spaniards; a Detachment of the Militia of this Territory is ordered to march, and a re-inforcement is expected from Natchez.

I shall repair to Opelousas on the morning, where I shall be necessarily detained five or six days, in making some Militia arrangements. From Opelousas I shall proceed without delay to New Orleans, a post which is more immediately assigned me.

My long continuance in this vicinity was essential to my Country's Interest.

I have not received a line from New Orleans since I left Natchez; this induces me to hope, that every thing is well with you.

Signed Wm. C. C. Claiborne.

To Cowles Meade

Secy. of the M. T. Rapide 22d Sepr. 1806.

Sir,

General Wilkinson has this moment set out for Nachitoches, and I shall depart for Opelousas in one hour.

I have promised the General a re-inforcement of 400 Militia, but I now believe it will be in my power to furnish him with 500 effective Men:—

I now understand the views of the Government and we must contribute by all the *means,* we can Command to their accomplishment.

I shall necessarily be detained in Opelousas and At-

[1] Meade's efforts were prompt and active as shown by his letter book on file in the Mississippi Department of Archives and History.

tackapas six or seven Days; the Militia in these Counties require my attentions; but I shall not tarry one hour longer than imperious circumstances may require, for I propose to be in New Orleans on the 5th of next Month.

I have heard with much pleasure of your unvaried exertions to organize and animate your Militia; Your conduct cannot escape the observation of the administration, and will I trust make a just impression.

On my arrival at New Orleans, you will be advised of the aspect of affairs in that quarter.

Signed Wm. C. C. Claiborne.

I the undersigned adjutant of his Excellency the Governor and Commander in chief of these frontiers do certify to all whom it may concern that yesterday at about four O'clock p. m. Mr. Duforest an officer of the troops of the U. S. presented himself with a letter of his Excellency the Governor of Louisiana W. C. C. Claiborne which I could not deliver untill this day, on account of the serious sickness of the Commander in chief and that I invited the said officer to return to the post of Nachitoches where I shall forward by an officer the anaswer to the said letter. In testimony whereof I set my hand, on the plantation of Bayou Pierre on the 3d of 7bre. 1806.

Signed Simon de Herrera.

From Simon de Herrera

His Excellency Spanish Camp Sepr. 14th 1806.
Govr. Claiborne.
Sir,

I forwarded the original of your Excellency's letter of the first instant, to the Commander General of the Provinces as well on account of the bad condition in

which my health then was, as to procure to your Excellency a more ample Answer than that which I would be able to make, owing to the differences of my powers and faculties.

I shall send to your Excellency the Answer of the Commander general with due safety by an officer of my staff as I do it now by my adjutant Don Simon de Herrera &c.

Signed Simon de Herrera.

From Antonio Cordero

His Excellency
Govr. Claiborne.
Sir,

Feeling the liveliest gratitude for the goodness with which your Excellency permitted that Lieutenant Colonel Don Simon de Herrera Commander of the frontiers of the Province under my charge, should be attended during his sickness by a Surgeon of your troops, I think it my duty to return to your Excellency my thanks for so humane and generous an action.

I therefore do it by thus offering to you the expression of my respects and consideration, and praying god to preserve your life for many years.

At the Camp in the neighbourhood of Nacagdoches Septber. 8th 1806.

Signed Antonio Cordero.

To James Wilkinson

Opelousas Court House
24. Sepr. 1806.

Genl. Wilkinson

The necessary orders for the march of the Detachment of Militia from this County are issued and you may expect their arrival at Nachetoches on or before the 3d

day of next month. The detachment consists of 100 including officers, and I am persuaded you will be pleased with the appearance of the men, and still more so with their conduct.

I have informed Lt. Lucket who commands at Camp Hamilton that you had at the time of my departure from Rapide requested me to order him to Nachetoches with such of his men as could be spared from this Post; in consequence of which he will set out in two days with ten men leaving at this place a confidential Non Commissioned Officer and 3 privates.

Under an impression that a further supply of Tents and Camp Kettles would be useful to you, I have requested Lieutenant Lucket to take with him 12 of the former and 6 of the latter which are now at this place—and have told him to engage for the purpose some Pack Horses.

I arrived here on this morning, and will delay no longer than is necessary to put the Militia in motion and to quiet a society of Chacktaw Indians on the Bayou Chico which is very much disturbed in consequence of the wounding of a Warrior by a Citizen of this Country. The wound is dangerous, but there is a great prospect of the recovery of the Indian.

I pray you General to keep me advised of the aspect of affairs in your quarter, and particularly whether the assistance of a large portion of the militia is necessary. I shall repair from hence to the Counties on the Mississippi, and I think it would be in my power to send you from those Counties a further reinforcement if it should be essential.

Signed W. C. C. Claiborne

To Judge Collins

The honble. Opelousas Sepr. 24. 1806.
Judge Collins.

The late events which have rendered the march of a detachment of Militia necessary may I fear unless great prudence is observed lead to the introduction of disunion and perhaps some confusion in our society. The reluctance of the ancient Louisianians to rally at the Call of their country is seen and regretted, but I pray that this conduct may not occasion reproach from the native Americans—but on the contrary that they may continue to extend towards them every act of civility and kindness. I am disposed to make great allowances for the unwillingness of the Louisianians to enter at this crisis into the service of the U. S. They have been educated in a belief that the Spanish Monarchy was the most powerful on earth—and many of them are impressed with an opinion that the U. S. will fall an easy prey to the Spanish arms, hence arises their neutral stand as the surest means of safety to their persons and property. There are other excuses which may be made for the recent conduct of some of the Louisianians; but it is unnecessary to recite them. I am persuaded of your disposition to cultivate harmony—and I am sure, by your example and precept you will discourage any proceding which might lead to disunion, or what I should consider the greatest calamity that could befall the Territory—a Civil War!

Signed W. C. C. Claiborne

To Lieut. Luckett

Opelousas, 24. Sepr. 1806.

Lt. Luckett

At the moment of my departure from Rapide, I was requested by Genl. Wilkinson to order, in his name, the detachment of Regular Troops, now at Camp Hamilton,

to repair without delay to Nachetoches; in consequence of which you will proceed to Nachetoches with all convenient dispatch; but I advise that you leave at the post a confidential Non Commissioned Officer and three Privates as a necessary Guard to the public property.

Having understood that you had in your care 12 new Tents and some Camp Kettles, I request that you convey these articles to Nachetoches, and for this purpose I am sure the General will approbate the engagement of a necessary number of Pack Horses.

During the continuance of the Genl. at Rapide, his time was much occupied, and probably he did not recollect at the moment that a Commissioned Officer commanded at Camp Hamilton, or he would have given you an order in writing.

Signed W. C. C. Claiborne

To James Wilkinson

Opelousas, Sepr. 24. 1806.

Genl. Wilkinson

I have the honor to inclose you four blank Commissions which you will be pleased to fill up with the names of such Gentlemen as may be recommended by the Nachetoches Volunteer Troop of Horse. I wrote you on this subject before I left Rapide, and informed you my promise to Messrs. Carr, Nancarrow and Tharp.

I have just seen Colo. Thompson. He does not object to repair without delay to Nachetoches, and will therefore be appointed to the command of the Militia. The Field Officers will be, Colo. Thompson, and Majors King and Walsh. The detachment from this County will be at Nachetoches on or before the 3d of next month.

Signed W. C. C. Claiborne

To Judge Collins

Attakapas Sepr. 28th 1806.

Judge Collins.

I inclose you a Talk to the Indians of the Bayou Chico Village, and pray you to be at the trouble to deliver it in person.

It will be expedient to employ a good Interpreter, and such necessary expences as you may incur, I will pay to your order.

At all times it is important to preserve a good understanding with our Indian Neighbours, but at the present crisis, it is indeed highly desirable.

You will be pleased at your interview with the Indians, to say, whatever you may suppose will have a tendency to conciliate their good will.

I am solicitous that the Indians return an immediate answer to my address, and I will thank you to commit to writing, what they may say, and to transmit it to me, by the first safe conveyance.

Signed Wm. C. C. Claiborne

Address to Indians

September 28th 1806.

An Address from William C. C. Claiborne Governor of the Territory of Orleans to the Chactaws of the Bayou Chicho' Village West of the Mississippi.

Chief, head, Men and Warriors!

I have heard news which much grieves me. Some Blood has been shed and a warrior of your Tribe is dangerously wounded. I supplicate the great Spirit to preserve his life. But if he should die, all I can promise is, that the white man who did the Mischief, shall be tried and punished agreeable to the Laws of this Territory.

Brothers! You know well the Inhabitants of Oplousās, & you have long lived good neighbours with them; they have never injured you, and are very sorry, for what has happened to one of your warriors. I pray therefore that the Chain of peace may continue bright and strong. The miseries of the human Race are naturally severe; and we should not increase the portion of bitterness which falls to the Lot of Man by entering unnecessarily into Wars. Brother! your Father the President of the United States, who is as good as he is great, wishes the Red People to know War no more; he wants your young Children to grow up, and your old men to die in peace. When I was a Chief at Natchez, I often gave to your elder Brothers, who lived on the Mobile Waters the Talks of the President, they received them in good faith, and promised, that their Tomahawks should not be raised agains the Americans, so long as the mountains stood or the waters ran.

Brothers! the United States and Spain have at present some disputes about the Limits of Louisiana. The Warriors of the two nations are assembling near to Natchitoches and their hearts are becoming cross; A Council fire however is burning, and the beloved Men are talking over the matter. But if the Americans should be obliged to bloody the path, let the Red Men keep quiet and join neither side. This is my advice and I hope you will not throw it away.

I have sent one of my head Men Judge Collins to see you; and I trust, Brothers, you will take him by the hand in friendship, and return a favorable answer to my Talk.

Signed Wm. C. C. Claiborne

To Albert Gallatin

The Honorable
Albert Galatin Opelousas 28th Sepr 1806.
Secy. of the Treasury.

You no doubt have heard of the approach of Spanish Troops towards this Frontier, and that a certain portion of the Militia of this Territory has been called into the service of the United States.

In organizing the Militia of this Territory, I found it expedient to appoint John Thompson Colonel of the 9th Regiment, and I have also, found it necessary to avail the public of his services on the present occacion. Colo: Thompson is the only Col: for the Counties from which the Militia has been called, and from this, as well as other Considerations, I have directed him to take the Command of the Detachment.

I sincerely hope Sir, you will not object to this measure; it is one, which political expediency has suggested. Colo: Thompson is the best qualified of any one of my militia Officers for Command, and I am assured that the business of the Land Office will sustain no injury by his services in the Militia. The Board has adjourned to Nachitoches; but on the present state of affairs no claims will probably be entered.

I sincerely hope you will attach no blame to me for exacting, or to Colo: Thompson for rendering his services. We are both actuated by the purest motives of honest patriotism.

Signed Wm. C. C. Claiborne

From John Shaw

His Excellency New Orleans 7th Octr. 1806.
Govr. Claiborne.

The most recent communications to me from the Honorable secretary of the Navy, are entirely pacific; I am barely instructed to fit out and enter a few men for the

safeguard of the Boats in Port, however, Sir, I am ready to act on any quarter from your Instructions in defence of my Country, and in case you anticipate immediate service from the Navy, you will be pleased to make your communications and they shall be strictly attended to.

Signed John Shaw

To John Shaw

New Orleans 7th Octr. 1806.

Capt. Shaw.

Persuaded that the same feeling of patriotism which has induced a declaration of your readiness to act in any quarter for the defence of your Country, would induce you to support with firmness the general safety, I shall with great pleasure, avail the public of your services whenever the occasion may require. For the present Sir, I cannot say what particular duty will be exacted of the Navy; but I am Solicitous that you should make every possible exertion to have the Boats in port prepared for a Creuze, and I feel the more Solicitous on this point, since in two or three Days, some Military stores will be shipped for Natchitoches, and I am desirous that the Gun Boats, should give them a Convoy by the Fort of Baton Rouge.

Signed Wm. C. C. Claiborne

To Col. Freeman

N. O. 7th Octr. 1806.

Colo: Freeman.

In answer to your note of the Morning, I give it as my opinion, that you should lose no time in purchasing and forwarding to Nachitoches, such articles, as in the opinion of general Wilkinson, are essential to military operations offensive as well as defensive.

Signed Wm. C. C. Claiborne

To Henry Dearborn

N. O. October 8th 1806.

Secy. of War.

I arrived in this City on the evening of the 6th Instant, and have found that the public service has sustained no Injury by my long absence.

The Militia from the Frontier Counties of this Territory have marched for Nachitoches, and their numbers will exceed five hundred Men. A Detachment of one hundred Regulars, (having in charge such Military Stores, as can be obtained at this place, and which the General requires) will set out in a few days for Natchitoches.

There is in this City a degree of apathy at the present moment, which mortifies and astonishes me; even some of the native Americans act and discourse, as if perfect security every where prevailed; I will endeavor to excite a Military Spirit, and do every thing in my power, to insure the General safety. Natchitoches is an important Post, and must be defended; If General Wilkinson should march against the Spanish Army, & be repulsed, the Counties West of the Mississippi will fall an immediate sacrifice, and the Invaders may proceed with great rapidity to New Orleans; hence I have considered it my duty, to give to the General as great a reinforcement, as can be spared from this City:— I shall make up the deficiency in the Regular Force, (occasioned by the Marching of the Detachment to Natchitoches) by calling into service, a part of the Militia of the City, and I hope sincerely my Conduct will be approved.

I fear the Ancient Louisianians of *New Orleans* are not disposed to support with firmness the American Cause; I do not believe they would fight against us; but my present impression is, they are not enclined to rally under the American Standard.

We have a Spanish Priest here who is a very dangerous Man; he rebelled against the superiors of his own

Church, & even (I am persuaded) rebel against this Government whenever a fit occasion may serve. This man was once sent away by the Spanish Authorities for seditious practices, and I am inclined to think, that I should be justifiable, should I do so likewise. This seditious Priest, is a Father Antoine; he is a great favorite of the Louisiana Ladies; has maried many of them and Christened all their Children; he is by some Citizens esteemed an accomplished hypocrite, has great influence with the People of Colour, and report says, embraces every opportunity to render them discontented under the American Government.

Of course you may be assured, that I shall watch his movements, and as the safety of the Country is paramount to every other Consideration, if his Conduct should continue exceptionable, I shall send him off.

Our neighbours at Baton Rouge, Mobile & Pensacola are quiet; Governor Folch in consequence of a triumph which his Rival Maralis has acquired over him, in an appeal to the Governor General of Havana, has given up for the present the Government of Pensacola, and *it* devolves upon a Colonel Howard, and Irish Gentleman of Talents, who has very long been in the Service of Spain.

Colo: Howard has lately made an Arrangement with a Mr. Gaines relative to the navigation of the Mobile; I understand it is a favorable one, but am unadvised of the particulars. Mr. Gaines is a Lieutenant of the Army, & Collector at Mobile; I know not whether he negociated in his Military or Civil Character.

If an amicable arrangement with Spain has not taken place, permit me to observe, that the safety of the Territory, requires the presence of a much stronger Military force, than we have at present.

I will keep you advised of every material, occurrence, and will execute your Commands with promptitude and pleasure. Signed Wm. C. C. Claiborne

To James Madison.

N. O. 8th October 1806.

Secy. of State.

I returned to this City on the evening of the 6th Instant, and am happy to believe that the public Interest has sustained no injury by my long absence. My private Secretary Major Richard Claiborne, who had charge of the Secretary's office, was very attentive to his duties, and from the State, in which I find the office, I have abundant reason to approve his Conduct.

My official Communications to the Secretary at War, (the contents of which I presume are made known to you) will have informed you of the aspect of affairs at Natchitoches; The Spanish Army (at the last accounts) continued on the Bayou Pierre, and General Wilkinson was making arrangements to advance towards the disputed Territory; I think a conflict a very probable event, and am persuaded the issue will be most favorable to the American Arms.

A Defeat, would be most unfortunate, for in this event, the Counties West of the Mississippi would fall a sacrifice, and the Invaders might (if they willed it) march with rapidity to New Orleans. Impressed therefore with the importance of the post of Nachitoches, I have esteemed it my duty to give the General every possible support, and with this view, I have advised the immediate marching from this place to Nachitoches of one hundred regular Troops.

There is at present in this City, a great share of Apathy, but I will endeavor to awake a Military Spirit, and shall make every provision in my power for the general safety.

Our Neighbours at Baton Rouge, Mobile and Pensacola continue quiet.

Signed Wm. C. C. Claiborne

To Henry Dearborn

N. O. 10th October 1806.

Secy. at War.

On this morning I requested the Catholic Priest to whom I alluded in my last letter, to attend me at the Government house, and in the presence of the Mayor of the City and of Colo: Bellehasse of the Legislative Council, I mentioned to him the reports concerning his conduct which had reached me. The Priest declared his innocence, and avowed his determination to support the Government, and to promote good order. I nevertheless thought it proper to administer to him the oath of allegiance, and shall cause his conduct to be carefully observed.

The Priest declared the reports to have originated in the Malice of his Enemies: The division in the Catholic Church, has excited many malignant passions, and it is not improbable, but some injustice has been done to this individual.

I have not yet been enabled to place the Militia of the City in the situation I could wish: I however shall not cease my exertions to that effect.

The Detachment for Nachitoches marched on this day — my last accounts left General Wilkinson at Nachitoches; Govr. Herrara on Bayou Pierre, and Cordero at Nacogdoches.

Signed W. C. C. Claiborne

To Henry Dearborn

N. O. 12th October 1806.

Secy. at War.

The Adjutant General of the Territory has this moment returned from Attakapas, where I had dispatched him, to cause two Companies of Militia to be held in readiness to march at a moment's warning.

The Inhabitants of that County are nearly all ancient

Louisianians; I mean by the word ancient, such Citizens as were settled in this Territory, previous to the change of Government.

I had feared, that some difficulty would be experienced in executing my orders; but I am agreeably disappointed.

The Citizens discovered a great share of patriotism, and avowed their determination to defend (with their Lives) their Country.

Whatever may be the local discontents of the Louisianians, I begin now to think, that they will very generally rally at the call of the Government; when I first went to *Nachitoches,* I did distrust the fidelity of the Louisianians in *that quarter,* & indeed every American residing there, with whom I conversed, agreed in opinion, that the French part of the society was generally disaffected. But I trust, we shall all be disappointed; of one thing, I am convinced, that the Louisianians who are not for us, will remain neutral. My last letter from General Wilkinson was dated the 25th Ultimo; he was then of opinion that unless his orders were countermanded, *he* "would soon have a meeting with the Spaniards."

Signed Wm. C. C. Claiborne

To James Wilkinson

N. O. 12th October 1806.

Genl. Wilkinson.

Every thing is tranquil in this quarter;— A Detachment of regular Infantry has marched for Nachitoches, & a few Artillerists will follow (by water) in a few days.

I shall soon have my Militia in a proper state; If volunteers do not offer, I shall direct a Draft, and will hold a respectable force in readiness to march.

If you wish a further reinforcement, give me early

information, and every exertion will be made, to forward you, at least two hundred men.

May God grant you success.

Signed Wm. C. C. Claiborne

To Sheriff of Attackapas

The Sheriff N. O. 14th October 1806.
of the County of Attakapas.

Mr. Crowdson, is the bearer of a Warrant, for the apprehension of a certain John Smith, who is said to have passed Counterfeit notes of the Bank of the U. S.

It is important that this offender should be arrested, & I am persuaded that you will make every exertion in your power, to insure the Speedy service of the process.

Signed Wm. C. C. Claiborne.

To Venter & Harman

N. O. 14th October 1806.

Messrs. Venter & Harman
Merchants of N. O.

In answer to your memorial under date of the 7th Instant, I have to inform you, that no Ship or Vessel from a foreign Port, with negro's on board, will be permitted to pass the first Military Post on the Mississippi.

Signed Wm. C. C. Claiborne

To Henry Dearborn

N. O. 16th October 1806.

Secy. of War.

Since my last I have received no information from General Wilkinson.

Everything continues tranquil in the City; I am busily engaged in placing the Militia in the best possible Situation.

Signed Wm. C. C. Claiborne.

To Henry Dearborn

N. O. 17th October 1806.

Secy. of War.

I hasten to announce to you, the patriotism of the Citizens of New Orleans and its vicinity; at a muster this morning of the 1st, 2d and the 4th Regiments of Militia, in conformity to previous orders, every officer, non-Commissioner officer and private present, made a voluntary tender of their services, for the defence of the Territory generally, and more particularly for the security of the City.

This display of patriotism affords me, much satisfaction, and has rendered this, among the happiest days of my life.

The mail being about closing, I have only time, to inclose you a Copy of my general orders, and of a short address, which I made to the Detachment. In my next letter, I shall write you more particularly.

Signed Wm. C. C. Claiborne.

To Henry Dearborn

N. O. 19th October 1806.

Secy. of War.

I now inclose you Copies of the speeches made by Colonels Bellchasse & Macarty to the Detachment of City Militia which were mustered on the 17th Instant. These Gentlemen have really deserved well, and indeed I have great cause to applaud the patriotism, which the Citizens have very generally manifested.

When first I visited Nachitoches, I doubted the fidelity of the ancient Louisianians; but subsequent events have shown that my suspicions were incorrect. How far the Louisianians would be disposed to march out of their own Territory, I cannot undertake to say; But I have every reason to believe, that a very great majority, would resist with firmness any Invader.

It is reported that the Spaniards have recrossed the Sabine, and that General Wilkinson has discharged the Militia; but I have no official information on the subject, and therefore fear that the Report is not true.

Signed Wm. C. C. Claiborne.

To Col. Freeman

N. O. 25th October 1806.

Colo: Freeman.

The muskets of several Company's of the Battalion of Orleans Volunteers have been reported to me as totally unfit for use, and I am solicited to furnish arms, which would enable them to render service if the occasion should require; the officers also commanding the 1st, 2d, and 4th Regiments of Militia Infantry, (and which Regiments have made a voluntary tender of their Services), have solicited me, to supply them with arms; my own opinion is that the state of society here, and the aspect of affairs are such, as to render it advisable to arm not only the Volunteers, but the regular city Militia; Under this impression, therefore I shall propose to you, to receive the arms of the volunteers, which are unfit for use, and to deliver (from the public stores) on the receipt of several Captains, a like number of good muskets; I shall solicit also for the use of the City Militia nine hundred public Muskets, to be delivered to the several Colonels.

In making these requests I feel that much responsibility attaches to me, and I shall only ask you, to acceed to this arrangement, until the pleasure of the Secretary at War shall be known, and if he should disapprove the proceeding, the Arms shall be forthwith returned.

I suppose that the Volunteers, will not wish to exchange a greater number than one hundred muskets.

Some public arms which were loaned the Battalion of Orleans blues, (a Battalion which no longer exists) were

during my absence lodged at the Government House, and I have requested my private secretary to cause them to be delivered at the public store, to such officer as you shall inform me, is authorized to receive them.

Signed Wm. C. C. Claiborne.

P. S. I shall also propose the loan to a Volunteer company of Riflemen, of thirty or forty Rifles, upon the like condition, on which the muskets are requested.

Signed Wm. C. C. C.

To Thomas Jefferson

Private N. O. November 5th 1806.

Thomas Jefferson President of the U. S.
President of the U. S.

I observe by the Western Papers that Colo: Burr is in the Western States, and that a public Dinner was lately given to him at Nashville; I know not the views of this Gentleman, but I fear they are political and of a kind the most injurious. * * * * Manuscript torn * * * *

To Notaries

Circular. N. O. November 29th 1806.

To the Notaries.

I am directed by the Governor to request that you will with each Certificate of Citizenship you shall transmit to this office by the parties applying to take the oath of Allegiance, forward at the same time your own separate Certificate Stating the Situation and property of the two deponants in support of the applicant.

In future you will be pleased to render to this office, quarterly returns of the Certificates of Citizenship you shall issue, on the last day of every quarter; of course

one will be expected from you on the 31st of December next.

Signed R. Claiborne
Secy. to the Governor.

To B. F. Van Pradelles

N. O. Novr. 29th 1806.

B. F. Van Pradelles Esqr.

With your commission as Notary Public, you will receive inclosed, copies of some instructions which have been issued to the Notaries generally— and which will be necessary to govern you in the discharge of the duties of your office.

I wish you success, and remain with respect and esteem Sir,

your mo: obt. Servt.
Signed R. Claiborne
Secy. to the Governor.

To R. McShane

R. McShane N. O. December 3d 1806.
Atty. at Law.

I have this moment received your letter of yesterday, and I pray you to be assured, that the subject thereof, shall receive my immediate attention.

Signed Wm. C. C. Claiborne.

To James Wilkinson

N. O. December 3d 1806.

General Wilkinson

I inclose for your perusal a complaint against the Military, and am assured that you will Direct on the occasion such measures as a sincere Respect for the Rights of the Citizen shall suggest, and which may prevent a similar occurrence.

Signed Wm. C. C. Claiborne.

To James Madison.

N. O. December 3d 1806.

Secy. of State.

To enable me to forward by express, to the Department of State, some public dispatches, I have this day drawn upon you, for five hundred Dollars payable at 5 days Sight to J. W. Gurley or order.

Signed Wm. C. C. Claiborne.

To Cowles Mead

(Private) N. O. November 18th 1806.

Cowles Meade.

I have awaited with great anxiety, the Communication which you promised me, in your letter of the —— Ultimo.

I believe my dear friend, there is Cause for your apprehensions— in the United States there are many ambitious and unprincipled Men; *they* perhaps may meditate mischief, and expect to profit by a Revolution.

I have sent this letter to you by a man in whose trust I confide, and who will bear me in safety your answer; write I pray you freely, and Conceal nothing from me, which involves the Interest of our Country; that interest, I shall support to the last moment of my life.

I have great confidence in your Integrity and patriotism; but pardon me in suggesting to you, the necessity of the utmost caution;— Whatever your opinions may be impart them but to a few:— We are often betrayed, or rather injuried by our best friends; few men possess discretion, and the number is very small, who can properly use a state secret.

My Enemies are determined on my ruin, and every effort will be made the ensuing Winter to effect it; Already my official Conduct is basely misrepresented in Extracts of Letters, which are published in Philadelphia;

Daniel Clark has pledged himself to have me dismissed, and he proposed to have complaints exhibited against me not only from this, but your Territory:— he boasts of his wealth, of his talent for intrigue, and of the numbers that are subservient to his will. I may fall; but I can never be disgraced.

I offer you my best wishes for your prosperity; I believe you to be sincerely attached to your Country and that you know of no other merit, but personal merit:— The good men will esteem you; but the unprincipled, and most of the rich Citizens will be your Enemies. The rich love distinctions, and are too apt to view poverty, even honest poverty as a Crime.

Signed Wm. C. C. Claiborne.

To James Madison.

N. O. November 18th 1806.

Secy. of State.

In a private letter to the President of the U. States under date of the 5th Instant, I expressed to him my apprehensions that certain Persons, were forming plans inimical to the United States:— I am now advised by a confidential letter that the Union of the States is seriously menaced, and that the Storm will probably break out in New Orleans; and that in this plot thousands are concerned. My informant is a man of distinction, but for the the present, I am not at Liberty to mention him. If this be the object of the Conspirators, the delegate to Congress from this Territory is one of the Leaders; he has often said, that the Union could not last, and that had he Children he would impress early on their minds, the expediency of a separation between the Atlantic and Western States: Doctor John Watkins and Mr. J. W. Gurley have heard these sentiments expressed by *that Gentleman.*

If there is no Cause for apprehending a Conspiracy

and of a serious nature, I am deceived, and by a man in whom the Government has high confidence.

Whatever dangers may arise, be assured of my fidelity to my Country.

Signed Wm. C. C. Claiborne.

To James Madison

N. O. November 18th 1806.

Secy. of State.

A Gentleman of *high rank*[1] writes me from Natchez under date of the 12th Instant "you are surrounded by dangers of which you dream not, and the destruction of the American Union is seriously manaced; the Storm will probably burst upon New Orleans." You have spies on your every movement and disposition."

In a few Days, I shall be at liberty to write you more fully; for the present, suffice it to say, that every thing here is apparently tranquil; but if dangers arise, I shall perish or triumph over the enemies of my Country. I have not received a letter from you, since July last.

Signed Wm. C. C. Claiborne.

To James Madison

N. O. November 25th 1806.

Secy. of State.

General Wilkinson has this moment arrived in New Orleans. My letters of the 18th 19th Instant you will consider as confidential. I shall have conference with the General on Tomorrow, and will in a few days write you particularly.

I have *no doubt that a conspiracy is formed* highly *injurious* to the *interest* of the *U. S.*— and that *charac-*

[1] Cowles Mead, Secretary and acting Governor of Mississippi Territory.

ters of *high standing* are *concerned* — but I am not yet *advised* of *particulars*.

General Wilkinson and myself will, to the *best* of our *judgments* and *abilities* support the *honor* and *welfare* of *our Country*.

Signed Wm. C. C. Claiborne.

To Captain Shaw

N. O. December 1st. 1806.

Captain Shaw.

I have received your letter of the 29th of November. The situation of affairs here is critical, and there is every reason to believe, that the safety of the Territory is seriously menaced. Under this impression, I advise and request that you make every exertion to have the force under your Command, in immediate readiness for service, and that to meet any expence attending the same, you should draw bills upon the Secretary of the Navy.

So soon as you have completed the necessary equipments for your present Force, you will inform me thereof, and I will then give you my opinion as to best means of encreasing the Navy of this Station; If in the mean time, the threatening dangers, should augment, you have only to point out to me, the Vessel or Vessels best suited for the service, and they shall be obtained.

I advise, that you consult with General Wilkinson from time to time, as to the manner, in which with the vessels under your Command, you can best serve your Country.

Signed Wm. C. C. Claiborne.

Important Statement

Private

Statement by Governor Claiborne and Captain Shaw.

The undersigned are informed by General Wilkinson of a Conspiracy formed in the U. States, having for its objects, the revolutionizing of Louisiana and Mexico.

General Wilkinson has shewed the undersigned certain letters in Ciphers directed to him, which he says, are from Col: Burr and General Dayton: These letters (as interpreted to the undersigned by the General) speak of an association, having some grand object in view.

Colonel Burr promises to be at Natchez on or before the 15th of December with 500 men, and speaks of a large force which will soon follow; He also says, "the Navy are with us, and that Truxton had gone to Jamaica"; General Wilkinson is desired to meet the Colonel at Natchez, where they were to determine on further movements, and particularly whether Baton Rouge should be taken on their way down.

Burr promises the General to make him second in Command, and that he should select the Grades for his officers, (meaning in the opinion of the undersigned) the officers of the American Army. The General is further requested to obtain by the best means in his power, the Commissions of five of his officers, and send them to him, Colonel Burr, who says he is in funds, and desires the General to draw upon him. For further information the General was refered to the Bearer of the letter, who Colo: Burr says was acquainted with his Plans.

General Dayton in his letter speaks of Mexico and Louisiana, of Burr and Wilkinson, promises to be soon at Natchez; speaks of fame and Glory, of certain success, and asks; If the General is ready?

The Bearer of Burr's Letter, the General informed the undersigned, was a Mr. Swarthout who told the General "that Kentucky, Tenessee and Ohio would separate from the Union; that Louisiana would be revolutionized, and that the French were prepared for it, and intimated that the Money in the Banks at New Orleans would be taken by the associates; but a like amount would be returned of a future period. Mr. Swarthout also, informed the General, that a Mr. Spence of the Navy, a Mr. Ogden

and a Doctor Ballman, who either were or had been in New Orleans, were agents of Colonel Burr".

The above is a true statement, according to the best recollection of the undersigned; In some details, we may probably be incorrect; but in substance the Statement is true.[1]

Signed at New Orleans on the 3d day of December 1806.

Signed William C. C. Claiborne
Governor of the Territory of Orleans.
John Shaw Commanding U. S. Navy on the
New Orleans Station.

To James Madison

Private N. O. December 4th 1806.

Secy. of State.

You will perceive my Dear Sir, the delicacy of the Communication inclosed, and I beg that it may not be made public, unless it should be deemed essential to the public' safety, which must supersed every private consideration.

When a full account of this unprincipled Combination, shall be made public, General Wilkinson will be greatly obnoxious to the associates; but his fidelity to his Country, cannot fail to be justly appreciated by the good and virtuous. Perhaps a speedy disclosure might endanger the personal safety of the General, I wish it may be avoided.

Signed Wm. C. C. Claiborne.

To James Madison

Secy. of State. N. O. December 4: 1806.

The importance of the inclosures marked A. B. C. D. will plead my justification in forwarding you this dispatch by a special express.

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[1] The Burr Papers in the State Department are valuable sources in this connection.

The Troops from Nachitoches are momently expected as is also a detachment from Mobile. General Wilkinson is repairing the old fortifications, and contemplates Picketting in the City.

I shall remain faithful at my Post — and with all the means in my power will unite with the General in the defence of my Country, her Government and Laws.

I am, dear Sir with great respect and esteem,

Your hble. Servt.

Signed Wm. C. C. Claiborne

P. S. When the troops from Nachitoches and Mobile shall have arrived, there will be in N. O. about 800, including officers. The Orleans Volunteers may muster 180 men; but it is impossible for me to say on what portion of the regular militia I can rely. Captain Shaw of the Navy has under his command on the N. Orleans station, two Bomb Ketches, and 4 Gun boats. The Ketches are in this port; two gun boats are cruizing in the Lakes; and 2 others have ascended the Mississippi, but have all been ordered to N. O.

Signed Wm. C. C. C.

To James Madison

N. O. December 4th 1806.

Secy. of State.

You will perceive, my dear Sir, the delicacy of the Communication inclosed — and I beg it may be considered as confidential, and not made public, unless, it should be deemed essential to the public safety, which must supersede every private consideration.

When the unprincipled combination shall be made known, General Wilkinson will be greatly obnoxious to the associates— but his fidelity to his Country cannot fail to be justly appreciated by the good and virtuous.

Signed Wm. C. C. Claiborne.

To Governors

To the Governors of Tennessee, Kentucky, Ohio, and Indiana. N. O. December 5th 1806.

I have every reason to believe, that an armed association is forming in the Western Country, under the direction of Colonel Aaron Burr with designs hostile to the Government, Laws and Territories of the United States.

I give you this information in full confidence, that you will make the necessary exertions to ascertain the extent of this Lawless Combination, and to defeat their wicked machinations.

Signed Wm. C. C. Claiborne.

To James Madison

N. O. December 5th 1806.

Secy. of State.

If General Wilkinson is not greatly deceived, the safety of this Territory is seriously menaced. You may however be assured, that every exertion will be made to repel the advancing Foe. From the firmness and Bravery of the Army and Navy on this station, much may be expected; But as regards *the support* which the militia may render, I cannot hazard an opinion; It will be best determined in the hour of Peril. I have heretofore persuaded myself that a majority of the People were well disposed, and would rally at the call of Government; but of this I am not certain. On the contrary, I have had so many proofs of the influence of unprincipled men, and the prudence of wicked political principles, that I know not in what portion of the Militia to confide, I cannot however, but cherish a hope, that the Battalion of Orleans Volunteers will in any event be faithful to the United States, and I know that in the Counties West of the Mississippi there are many native Americans, who

would die for their Country. General Wilkinson tells me, that he had heretofore received hints of a Mexico expedition, and from the Characters whom it seems are the Leaders of the present plot; but had attached no consequence to their conversation, under an impression, that unless sanctioned by the Government, no men of reputation and talents could seriously contemplate an object of the kind.[1] General Wilkinson will doubtless become extremely obnoxious to the associates; but his fidelity to his Country, will be justly appreciated by the good and virtuous.

In a former Letter, I mentioned my suspicions of Mr. Clark, and the causes which excited them; but upon further enquiry, I find nothing to justify an opinion, that he is a Party in the existing conspiracy; I have therefore to request, that the Letter in which his name was introduced, may be considered as confidential. In a late conversation with Doctor Watkins, he informs me, that since the Election of Mr. Clark to Congress, he has heard him deliver some patriotic sentiments, and his former opinions the Doctor seems now to attribute, *more* to the impulse of some momentary passion, than to delibreate reflection. It is due to Justice to acquaint you of these particulars, and Justice I will render to every Man — even my greatest Enemy.

I have received no official letters from Washington since July last; I fear they are intercepted, and this is one reason, why I have on the present occasion, forwarded my dispatches by express. May I ask the favour of you, to write me occasionally, when your leisure may permit private and inofficially. I alone correspond with the heads of Departments, and they write me so seldom, that very little information of the state of things, with out my own Territory reaches me. As for the Gazettes,

[1] Claiborne suspected that the Mexican Association whose object was the liberation of Mexico from Spanish rule was a Burr agency.

I seldom read them, for the abuse of the Government, I have the honor to serve, (and may add with sincerity abuse of myself too) is so unpleasant, that I have little relish for news paper reading.

The Territorial assembly will be in session, the second day of next month; the formation of a Civil Code will engage much of their attention, and I trust I shall be enabled to maintain a better understanding than heretofore, with the two houses; But this object desirable as it is, will never be effected by a Sacrifice of my Judgment. The negativing power was given to be exercised, when the occasion required, and of that occasion I must be the Judge; I think however that the approaching will be more agreeable, as well as useful, than the last session.

My friend Mr. Graham has not yet arrived.

I am Sir,

Your faithful friend,

Signed Wm. C. C. Claiborne.

To James Wilkinson

N. O. November 17th 1806.

Genl. Wilkinson.

I have received your letter of the 12th Instant, and have observed well its contents.

To the last moment of my life, you may be assured of my fidelity to my Country, and that I will cheerfully cooperate with you, in the support of her interests.

I wish you health and prosperity.

Signed Wm. C. C. Claiborne.

To G. W. Hopkins

Instructions to Gerard W. Hopkins. N. O. December 5th 1805.

You are charged with dispatches (of great Importance for the Department of State, and it is essential to National Interest, that you should proceed to the City of Washington *with all possible dispatch.*

You are furnished with five hundred Dollars to defray the expenses of your Journey; but the quantum of Compensation to be allowed you, must be determined by the Secretary of State; I will however promise, that your reasonable expenses to and from the City shall be paid by the Government.

You will not mention the objects of your Journey, or the place of your destination; this reserve may be essential to your own safety. You will write me from time to time, and keep me advised of the progress of your Journey, and enclose your letters under Cover to your Brother.

I wish you health, and a Speedy Journey.

Signed Wm. C. C. Claiborne.

To Thomas Jefferson

N. O. December 5th 1806.

The President of the U. S.

My official Communications of yesterday to the Secretary of War, will acquaint you of the unpleasant aspect of affairs in this quarter.

I persuade myself, that the Danger from within, will not prove as serious, as is apprehended; but whatever difficulties, may arise, you may rely with confidence on my best exertions for the defence of my Country and Government.

General Wilkinson is of opinion that the threatened attack will soon be made; he is repairing the fortifications, contemplates picketing in the City and establishing a floating Battery at the mouth of the River.

My friend Mr. Graham has not arrived; he intended to return (I learn) by the way of Ohio & Mississippi, in which event he will probably have a long Voyage.

Signed Wm. C. C. Claiborne.

To James Madison

Secy. of State.

N. O. December 5th 1806.

At the moment of closing my dispatches, I received from an old and esteemed friend a letter of which the inclosed is a Copy.

You will be pleased not to memtion the name of the writer, unless you should deem it essential to the public' Interest.

I am greatly embarrassed; but my best judgment will direct all my movements. What the issue may be God alone knows; all the assurance I can give you is that, I am prepared to lay down my life for my Country.

Your faithful friend

Signed Wm. C. C. Claiborne.

From James Wilkinson

N. O. December 6th 1806.

Govr, Claiborne.

The dangers which impend over this City and menace the laws and Government of the United States, from an unorthorized — and formidable association, must be successfully opposed at this point, or the fair fabric of our independence, purchased by the best blood of our Country will be prostrated, and the Goddess of Liberty will take her flight from this globe forever.

Under circumstances so imperious, extraordinary measures must be resorted to, and the ordinary forms of our Civil institutions must, for a short period, yield to the Strong arm of Military Law.

Having exposed to you without reserve, the authentic grounds on which I found my apprehensions, you can readily comprehend the high, solemn and important considerations by which I am moved, when I most earnestly entreat you to proclaim martial law over this City its ports and percints. For unless I am authorized to re-

press the seditious, and arrest the disaffected, and to call the resources of the place into active operation, the defects of my force may expose me to be overwhelmed by numbers and the cause and the place will be lost.

The Idea you offered me this morning of calling forth the militia and taking a position for the protection of your Territory above, is utterly inadmissible, because you could not for a moment withstand the desperation and superiority of numbers opposed to you, and the Brigands provoked by the opposition, might resort to the dreadful expedient of exciting a revolt of the negroes. If we devide our force we shall be beaten in detail, we must therefore condense it here, and in concert with our water craft rest our main defence at this point.

I shall most gladly receive the utmost number of the militia, you may be able to furnish me, and the more promptly the better.

Signed James Wilkinson.

To James Madison

Secy. of State.

N. O. December 6th 1806.

The Troops from Nachitoches have not arrived, but are momentarily expected.

General Wilkinson has made the necessary arrangements with the French Consul, and will receive possession of the French Artillery,[1] so soon as the value thereof shall be estimated.

I know not the extent of the support which Burr calculates on receiveing in this Territory. I have no doubt that there are in this City Persons who would accompany him in all his measures, however wicked they may be; but such secrecy in this quarter has been observed among

[1] Frequent mention has been made of these guns which were the property of the French government.

the conspirators, that I fear, it will be difficult to bring in this City; I had myself supposed, that it would have been best to have made a primary stand a considerable distance above New Orleans, but the General who holds himself exclusively responsible, for all Military operathem to Justice.

General Wilkinson is condensing all the regular force tions, thinks otherwise.

The Vessels under the Command of Captain Shaw, will (learn) as soon as as they are ready ascend the Mississippi, for the purpose of annoying the Insurgents in their descent of the River.

General Wilkinson has this moment informed me, that he has such information as induces him to believe, that Colo: Burr, will be at Natchez on the 20th of this month with two thousand Men.

I have dispatched Major J. W. Gurley (in whom I have entire confidence) to Natchez to appraize, the Governor of the Mississippi Territory of the Danger, — and to concert measures for the defence of our Common Country.

There is no security (at present in the conveyance by mail, I shall of course, forward all my dispatches by water or by Express.

Signed Wm. C. C. Claiborne.

To Cowles Mead

N. O. December 6th 1806.

Govr. of the Mississippi
Territory.

The Bearer Mr. J. Wm. Gurley has my entire confidence, and I pray you to give evidence of the important verbal communications which he is charged to make you, and to pursue on the occasion such measures as may conduce to the safety of Common Country.

Signed Wm. C. C. Claiborne.

From James Wilkinson

N. O. Decr. 7th 1806. 6 o'clock A. M.

Govr. Claiborne.

Captain Shaw informs me he cannot proceed with the river defences, without carpenters and Sailors, who are not to be had but by requisition. Proclaim martial Law & this with many other evils will be remedied. On this subject in the present Eventful moment, I must entreat you to act with decision, I believe I have been betrayed, & therefore shall abandon the Idea of temporizing or concealment, the moment after I have secured two persons now in this City. Our measures must be taken with promptitude and decision, regardless of other consequences or considerations than the public safety, for I apprehend Burr with his Rebelious Bands may soon be at hand.

with much consideration

&c.

Signed James Wilkinson.

To James Wilkinson

N. O. Decr. 8th 1806.

Genl. Wilkinson.

Your letters of the 6. and 7. Instant have been received.

I have made arrangements to place at the disposition of Captain Shaw, such number of Ship Carpenters and other mechanics as the public service requires – and shall take into immediate consideration, the other important measures which you advise.

The defeat of the wicked combination, to which you allude and the total discomfiture of the associates, being essential to the safety and interest of my Country, you may be assured of my ardent co-operation, and that at a period like the present I shall evidence no want of de-

cision in the exercise of such acts of authority as my judgement may approve.

The Battalion of Orleans Volunteers, which consists of from 150 to 180 men, and a small detachment of militia Cavalry, will be ordered into immediate service, and placed under your command; and indeed the whole militia of the City will be called out when the danger shall be considered so immediate as to render the measure advisable. In the mean time we will, as heretofore consult together as to the best means of defending our Country, Government and Laws; and for this purpose I shall see you in the course of the day.

I tender you the assurances of my entire confidence & esteem.

Signed Wm. C. C. Claiborne.

To James Madison

N. O. December 9th 1806.

Secy. of State.

In the course of yesterday, and this morning, I have been assured by many Citizens that the ancient Louisianians will very generally resist with firmness the expected attack; I am well assured, that in this City, there are Agents of Col: Burr; but it will be difficult to expose their Agency, and to bring them to punishment; to effect however this great object of public Justice, no exertions of mine shall be wanting, and aided by the zeal and vigilance of General Wilkinson, *it* will I hope be at least partially attained.

I continue to think, that the power of suspending the privilege of the Writ of habeas Corpus, more properly devolves upon the Legislature, but if the danger should augment & the privilege of the habeas Corpus should, by impeding the arrest of the suspected, be found to favour the escape of the Guilty, It is probable that I shall,

by proclamation, direct the suspension thereof, and plead in justification the necessity of the Case.

General Wilkinson whose zeal on the present occasion I highly appreciate, requests me to have recourse to such means, as will enable Captain Shaw to obtain the necessary Sailors for the Navy on this Station; I have in consequence, requested on this day a meeting of the owners and consignees of the Merchant vessels in the Port, and after acquainting them of the just cause for the apprehension of danger, I shall propose, that they consent to release from their private engagements, such sailors as may be disposed to enter the service of the U. States; If this proposition is assented to, the greatest obstacle to recruiting the necessary number of Seamen will be removed; If however I should learn that the associates had actually set out in force, I shall pursue such measures as may be required to man the little Fleet on this River, for its co-operation is deemed by the General absolutely essential to the defeat of the Insurgents.

I had once thought, that there could not be found the United States, men of such degenerate characters as seriously to meditate the infraction of our laws, the subversion of the Government, & the dismemberment of the Union; but the letters in the possession of General Wilkinson, and the Communication from my friend in Tennessee, are proofs to the contrary, and the only Consolation left to the sincere Lover of his Country, is, the well grounded hope, that their numbers are few, and that their wicked views will be promptly defeated. "The Unity of Government (to use the language of a departed Patriot) which constitutes us one people, is dear to us all; It is the main Pillar in the edifice of our real Independence; the support of our tranquility at home, our Peace abroad; we should accustom ourselves to speak of it as of the Palladium of our political safety and prosperity," and I sincerely hope that this first attempt to

alienate a portion of our Country from the rest, will be discountenanced by every virtuous Citizen, and that the agents in the nefarious project, may receive the severest punishment of the Laws.[1]

Accept assurances of my great respect and Sincere Esteem.

Signed Wm. C. C. Claiborne.

To James Madison

N. O. December 9th 1806.

Secy. of State.

The Members of the New Orleans Chambre of Commerce, attended on this morning at 10'O'clock at the Government House, and after being apprized by the General and myself, of the just causes for the apprehension of danger, and the demand there was for Sailors to man the little Fleet on this Station, they unanimously agreed to a resolution, of which the inclosed is a Copy.

This Chamber embraces every respectable Merchant in the City, and I am happy to find so much union, and so much patriotism displayed on the occasion; It has also been proposed by the Mercantile part of our Society to raise, by subscription a Sum of Money, to Cloath such sailors as may inter the service, and I am told, that several thousand Dollars have already been subscribed.

In conformity to the advise of the Merchants, I have given orders, that no Vessel without the permission of General Wilkinson or myself, depart from the Port; but these orders will be countermanded the moment the number of Sailors required for our armed Vessels are obtained.

Signed Wm. C. C. Claiborne

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[1] Claiborne was fully persuaded at this time that Burr's purpose was the secession of the west from the Union.

At a meeting of the Merchants of the City of New Orleans, held for the purpose of taking into consideration the communications made to them this morning by His Excellency William C. C. Claiborne and James Wilkinson.

Paul Lanuss Esqr. in the Chair

It was unanimously agreed that a General and immediate Embargo of the Shipping in port be recommended to His Excely. as the best means of obtaining the desired object.

New Orleans 9th December 1806.
Signed Paul Lanusse President.
Richard Relf Secy.

To James Wilkinson

N. O. December 10th 1806.

Genl. Wilkinson.

In a time of public danger like the present, when the Country and Government are seriously menaced by a band of Traitors, it becomes our duty, to redouble our vigilance, and to take the most prompt measures to discover the views of the associates:— To effect this object, I submit to you the propriety of giving some strong orders to the officers commanding at Fort St. John; by the way of the Lakes, the agents of the Conspirators will most probably make their Communications, and if suspicious persons were arrested, it is probable some discoveries may be made.

Signed Wm. C. C. Claiborne

From Andrew Jackson

Private Novr. 12th 1806.

Govr. Claiborne.

Altho it is a long time since I sat down to write you, still that friendship that once existed, remains bright on my part, and altho since I had the pleasure of

seeing you, I have waded thro dificult and disagreeable seens still, I have all that fondness for my old and former friends that I ever had, and the Memory has been more endeared to me, by the treachery I have experienced since I saw you by some newly acquired ones. Indeed I fear treachery is become the order of the day. This induces me to write you— put your Town in a State of Defence organize your Militia, and defend your City as well against internal enemies as external: my knowledge does not extend so far as to authorise me to go into detail, but I fear you will meet with an attack from quarters you do not at present expect. Be upon the alert— Keep, a watchfull eye on our General— and beware of an attack, as well from your own Country as Spain, I fear there something rotten in the State of Denmark— you have enemies within your own City, that may try to subvert your Government, and try to separate it from the Union. You know I never hazard ideas without good grounds, you will keep these hints to yourself— but I say again be upon the alert — your Government I fear is in danger, I fear there are plans on foot inimical to the Union— whether they will be attempted to be carried into effect or not I cannot say but rest assured, they are in operation or I calculate badly— beware of the month of December— I love my Country and Government, I hate the Dons— I would delight to see Mexico reduced, but I will die in the last ditch before I would yield a part to the Dons or see the Union disunited. This I write for your own eye, & for your own safety, profit by it, and the Ides of March remember with Sincere respect I am as usual your Sincere friend.

Signed Andrew Jackson.[1]

[1] A copy of this letter is in the Jackson papers in the Manuscript Division of the Library of Congress. In same collection is a letter of Jan. 8, 1807, regarding Burr's schemes and promises to come to Claiborne's assistance with Tennessee volunteers if needed.

From James Wilkinson

Sacredly Confidential Natchez 12th Novr. 1806.
Govr. Claiborne.

I wrote you from Nachitoches on the 6th Instant, by Major Porter who descends with all the Artificers and one hundred men from that place, to be immediately followed by Col: Cuching and every other man but one Company.

You are surrounded by dangers of which you dream not and the destruction of the American Union is seriously menaced. The Storm will probably burst on New Orleans, when I shall meet it & triumph or perish. The French train of light Artillery is indespensable to our defence. I therefore conjure you to aid Col: Freeman in geting or taking possession of it— assist him also in procuring Pickets to Stockade the town and strengthen the old fortifications— we shall have 1000 Regular Troops in the City in three weeks and I look for succour by Sea. I have little confidence in your Militia, yet I trust we may find a few Patriotic spirits among them. You have spies on your every movement and disposition— and our safety and success depends *vitally* on the concealment of our intentions. I therefore make this Communication in the most solemn confidence, (and in the name of our common Country) that you do not breathe nor even hint it, to the most intimate friend of your Bosom. The reserve may be painful, but you must bear it until I see you, which will be in a very few days, and let me entreat you, that all your measures may be suspended for my arrival, and that no Emotions may be betrayed. Colo: Freeman's line of Conduct has been prescribed to him. I shall leave this place the Day after tomorrow, but must dismantle fort Adams and remove every offensive weapon from it. I fear our Government has been surprised— but within Six days from the present, the President will be fully apprized of the plot, which implicates thousands and among them some of your particular friends as well as my own.

I again solemnly charge you to hold this communication to your Own Breast excepting Col: Freeman.

I write you in haste and dispatch this by Express— farewell and God bless you, so long as you may adhere to our Country and Co-operate in its defence with

Signed James Wilkinson.

N. B. Make no *News paper* publication of expected dangers, but say the troops are going into winter quarters in New Orleans and that the President has ordered the old fortifications to be repaired.

Governor Claiborne

Inclosed to Col: Freeman to avoid suspicion and to be delivered by him in private.

From James Wilkinson

Head Quarters N. O.

Governor Claiborne. Decr. 12th 1806.

I thank you for your note and the contents— we shall soon have orders— in the mean time internal Enemies will labour to appal every thing here— for Heavens sake take decisive measures to raise the sailors required by Commodore Shaw— if this is not soon done, I shall be under the necessity, of adopting different measures and making a change of position with at least five hundred of the troops.

Signed Ja: Wilkinson.

P. S. If you will ask Judge Hall to call on me I will give any further information against Burr he may desire, in my Power to offer.

To James Wilkinson

N. O. December 12th 1806.

Genl. Wilkinson.

Devise the means to enable Captain Shaw to obtain Sailors and as far as my powers permit they shall be resorted to.

I learn from some of the Merchants, that the term of service is the greatest obstacle. It is proposed to enlist the Sailors for six months, this length of time is objected to. Do you not think General that two months unless sooner discharged, would answer our objects.

I am sorry you should think me wanting in decision; to assist Captain Shaw in obtaining men, I have authorised an Embargo. An Act of authority which can alone be exercised legally, by the General Government, and this act of Mine, I fear, the Collector, will not long submit to, least by withholding Clearance's, he may subject himself to personal Actions.

In the last resource, we should indeed pursue any measure for the public safety; but I submit it to your Cool reflection, whether (at this time) I could be justifiable in directing an Impressment, and compelling men perforce to enter the service.

I am sincerely desirous to co-operate with you, in all your measures; many good disposed Citizens do not appear to think the danger considerable, and there are others who (perhaps from wicked Intentions), endeavour to turn our preparations into ridicule; but these things have no effect on my mind. That an extensive Combination exists with designs the most hostile, I have no doubt and it is our sacred duty to be on the alert and prepared to meet danger.

With respect to the force under your Command, I am persuaded you will make such disposition of it as will effect your primary object, the safety of the Territory. I have seen Mr. Cox, and will give you the particulars of our Conversation on Tomorrow.

Signed Wm. C. C. Claiborne

To Henry Dearborn

N. O. December 12th 1806.

Secy. at War.

From the peculiar Situation of this Territory, and the menacing aspect of affairs as well external as internal in this quarter, I deemed it my duty to put the Battalion of Volunteers, (the most efficient Corps of the Militia) in the best possible state for actual service; to enable me to do so, I have made an expenditure of one hundred and eleven Dollars, eighty seven and One half Cents, and for which sum I have this day drawn upon you payable at five days sight to Rd. Clairborne or order.

The Accounts and Vouchers are inclosed.

Signed Wm. C. C. Claiborne

To Sheriffs

The Sheriffs of N. O. December 15th 1806.
Acadia & Concordia.

I am directed by the Governor to express to you his surprize and regret that your return of the Census of the County of —— agreeably to the act entitled "An Act for taking the Census of all the inhabitants of the Territory of Orleans," has not reached this office and to request that you will forward it immediately.

Signed Richard Claiborne
Secy. to the Govr.

From James Wilkinson

N. O. December 15th 1806.

Govr. Claiborne.

I have received your letter of the 12th Instant, but have not found time to answer it earlier. I have since consulted Captain Shaw on the subject of his difficulties in procuring sailors to man the armed Vessels intended for service up the river, and am by him informed that

the men alledge, the denial of their employers to pay up the arrearages due to them, and the refusal of the Masters with whom they are shipt to give them their discharges. These objections being removed, Capt. Shaw is of opinion he will soon be able to engage his compliment of seamen. It is my opinion, the men should be engaged for the shortest period consistent with the public safety, but as I believe Mr. Burr's conspiracy is more profound and widely spread than his numerous agents, friends and well wishers here will permit, I think the Contract should be so qualified as to insure the service of the Seamen, until his machinations are destroyed in the Western States, or his attempt has been defeated in this Quarter, and for this purpose I would propose that they should be shiped without any specific term of service, "to resist the attack of Aaron Burr & his lawless Banditti from the Ohio River against this Territory and the Laws & Government of the United States.

In the *impending awful moment,* when I am myself absolutely hazarding every thing for the National Safety, by unauthorized dispositions of the Troops and treasure of our Country, you must pardon me should I lament & indeed have felt a little impatient when I could no-where find authority, for the apprehension and safe custody of men, either the Known Agents, Emissaries, or Supporters of the dark and destructive combinations formed or forming in the Heart of the nation.

I know not what may be the Conduct of the Collector, in opposition to the measure recommended by the merchants of the City, or what may be his responsibility for respecting such recommendations, but it is my cool and deliberate judgement, from my knowledge of Mr. Burr's Character and desperation and from the tenor of the information you have received and the apparent toleration and support which he receives in Kentucky and Tennessee, that we have reached an extremity in our public af-

fairs, which will not only justify but imperiously demands the partial and momentary dispensation of the ordinary course of our civil institutions, to preserve the sanctuary of rational Liberty from total dilapidation. I believe it to be wise and just to inflict temporary privations for permanent security, and that justice being previously done to the seamen, they should be compeled to serve the Country which gave them birth and gives them protection, on the very liberal terms which are proffered to them — give me leave, and *in three hours our vessels shall be maned.*

Having put my life and Character in opposition to the flagitious enterprize of one of the ablest men of our Country, supported by a crowd of coequals, ceremony would be unseasonable and punctilio unprofitable, I therefore speak from my heart when a declare, that I verily believe you are sincerely desirous to co-operate with me in all my measures, but pardon the honest candor which circumstances require and my situation demands, when I observe that with the most upright and honest intentions, you suffer yourself to be unduly biased by the solicitation of the timid, the capricious or the wicked who approach you and harrass you with their criticisms on subjects which they do not understand, and their opposition to measures which they do not comprehend, or which understanding they are desirous to prevent or defeat. What will our alertness import without force and energy to support it, and how can we be prepared without means? Shall our reverence for our civil institutions produce their annihilation, or shall we lose the house because we will not break the windows?

By the allusion which I made in my note respecting a change of the disposition of the Troops, I meant to say that if we cannot get seamen, I shall be obliged to embark our soldiers, and as I consider the defence which I proposed above, the most interesting to the Country and

the most favorable to success. I should in such case abandon the City and suspend further labour on its defences.

I shall ever be ready to bear testimony to the Patriotism of the professions you have offered to me from first to last, and of the high interests which you take in the safety of the constitution and the support of our laws. But we want force and we cannot procure it without the exercise of more power.

Capt. Shaw has just complained to me that *he* cannot succeed in procuring seamen and of other embarrassments.

I would wait on you but cannot quit my Pen a moment.

Signed James Wilkinson.

To James Wilkinson

(Private) N. O. December 16th 1806.

Genl. Wilkinson.

Believe me, that I am fully sensible of the impending Danger, and am disposed to exert all my constitutional *powers* in support of our Country and even *these* I will exceed, if the means at present pursued, should not (in a short time) produce the desired effects.

I am greatly solicitous that the late intercepted Letter should be deciphered;— If Jackson should finally desert his Country, I shall indeed lament the deprivity of human nature.

The Proclamation has already led to the disclosure of some facts which has much astonished me; and which you shall learn when we meet.

The Person you mention, will very soon (I suspect) furnish ample testimony to prove his Agency in the Plot.

Signed Wm. C. C. Claiborne.

(Confidential) N. O. December 16th 1806.

Govr. Claiborne.

I hope your Proclamation will do good — it was certainly a proper step, but believe me nothing but force will save us — rest assured you are hood-winked. I cannot decipher, yet the thing affords important discoveries — it notes Jacksons defection — and mentions names and Initials. Oh God could I hear from our Government! Alexander must be taken up — indeed he must — he said publicly at the Coffee House the other night, that if Br. was a traitor I was one also — I will dine with you after my business is done. Some days since a man arrived from Br. with dispatches: I shall have his name to morrow.

Signed Ja: Wilkinson.

Paul Lanusse N. O. December 16th 1806.

& Benj: Morgan.

I learn from Captain Shaw, that the greatest obstacles to obtaining the *Sailors* required for the Navy, are "the denial of their employers to pay up the arrearages due to them, and the refusal of the Masters with whom they are ship'd to give them their discharges." The obstacles being removed, Captain Shaw supposes, that he will soon be able to engage his Compliment of men."

I again Sir, give it as my opinion that the complete equipment of the little Navy on this station, and their speedy ascent of the Mississippi will contribute to the safety of this Territory, and I again appeal to the patriotism of the Mercantile part of our society, and ask with confidence their co-operation in aid of measures which the General good requires.

(Signed) Wm. C. C. Claiborne

N. O. December 17th 1806.

Genl. Wilkinson.

I have the honor to acknowledge the receipt of your letter of the 15th Instant.

To remove the principal obstacles stated to the recruiting for the Navy the necessary number of Seamen, I have again appealed to the patriotism of the Merchants, and have addressed a letter to Messrs. Lanusse and Morgan; two distinguished Merchantiled Characters, of which the inclosed is a Copy.

I am informed by Captain Shaw, that the Bomb-ketch Etna is ready for service, and I trust that by the period, the other two aremd Vessels in the Port have received the necessary repairs, that the sailors to man them may have been obtained. For the small Gun Boats which are fitting out at the Navy yard, Captain Shaw tells me, that Common Oarsmen alone are required, and in procuring such, I presume no difficulty will be experienced.

I pay homage General, to the zeal which you have manifested in hastening and enlarging your means of defence against the base men, who contemplate the subversion of our Government, nor can I but highly applaud the motive which influences your Conduct; but you must do me the Justice to believe, that if I have not yielded to all your requests, it was, because my judgment did not approve the measures; at a crisis so interesting as the present; I am in the habit of answering the respectful inquiries of the Citizens, nor do I refuse to listen to the opinion of those, who from personal merit and talents are entitled to respect; but I am not sensible of ever having yielded my own sentiments on subjects which fall under my official cognizance to any man living. For acts, for which I am alone responsible, my own frail judgement must be my guide; *it* may indeed betray me into errors; but in that case, I shall have the Consolation of having done for the best, and even censure under

such circumstances, would be more agreeable to me, than plaudits, for a conduct which the opinions of others had commanded. Believe me then that I am not "unduly biased by the solicitations of the timid, the capricious, or the wicked"— and be persuaded that the suspension of the privilege of the *Writ of habeas Corpus,* & the declaring *martial law,* measures you have advised, are (in my opinion) beyond my Control. These high powers devlove alone on the Legislature, nor can I constitutionally exercise an authority on the occasion, until the same shall be delegated to me by law.

I reverence General your experience in life, and in a late conversation with you, I remember to have appealed to *it,* for a Precedent where at any time or under any circumstances, a Governor of a State, has without authority of law, suspended by Proclamation, the privilege of the *Writ of habeas Corpus* and proclaimed *martial law* — but you could furnish me with no such precedent. On the contrary, you seemed to concede the point that the power was vested elsewhere; but relied on the necessity of the case to justify the measures. There may indeed be times, where an officer is justifiable in infracting law. To violate law is one thing, but to proclaim an intention of doing so, and under the semblance of authority is another. The one under certain circumstances is excusable nay commendable; the other, to say the least of it, is worse than useless If therefore, "you can no where find authority, for the apprehension and safe custody of men, either the known agents, Emissaries or supporters of the dark and destructive combinations fomed or forming in the Heart of the Nation", attribute it to the form of Government, which the Congress of the United States has given to this Territory, & to the existing laws. The judiciary of the Territory having exclusinve cognizance of offences is the only tribunal to which I can refer you, nor can any act of mine, arrest, or suspend

their powers. You will perceive in this letter, no other object, than a desire to lay before you the just considerations which influence my conduct, and while I offer my ardent prayers for the success of your efforts to defeat the wicked machinations of the Enemies of our Common Country, permit me to subscribe myself with sentiments of great respect—

your hble. Servt.
Signed Wm. C. C. Claiborne.

From Cowles Mead

Washington M. T December 14th 1806.

Govr. Claiborne.

I have received your friend with much Satisfaction — this kind of correspondence and cooperation is essentially necessary to our mutual safety and that of the Territories over which we have the honor to preside — my mind has long been prepared for the intelligence brought by Major Gurley, and you will find from his verbal communications that I have collected testimony of equal authenticity and weight on the same subject; which he has examined. Ere the arrival of this letter you will have received the affidavit of Capt. A— which as it affected your neighbours and pretended friends I thought proper to give litterally.

To enter into my contemplated plans of operation is unnecessary, as the major will be able to sketch the transient impressions of the mind — in a day or two I will advise with my privy Coucil — and then proceed to place the militia in the best possible state of discipline and vigilance.

Major G— will inform you of my scheme relative to Governor Grand Pre — this may have a good effect if

the Govr. is loyal to Spain, if not, it can do no injury, but to himself and his Country.

Will our personal acquaintance authorise me to offer an opinion, which may seem to counsel — if it does — permit me to say that you cannot begin to purge the offices of Government too soon, every conspirator in office, receives from yourself the means of doing you injury— you are now fostering, you give him consequence in the eyes of the ignorant, and the inhabitants of your Territory are not the most intelligent.

We want arms and ammunition — we have men, and these men are patriots — but Sir, we are badly provided. I can only promise to make the stand, and fight the battle of Leonidas. Burr may come — and he is no doubt desperate, but treason is seldom associated with generous courage or real bravery — should he pass us your fate will depend on the Genl. not on the Col: If I stop Burr — this may hold the Genl. in his allegiance to the U. States — but if Burr passes this Territory with two thousand men, I have no doubt but the Genl. will be your worst enemy.

Be on your guard against the wily General — he is not much better than Cataline — consider him a traitor and act as if certain thereof — you may save yourself by it — but if we wrong him, we will always be willing to repair any injury which we may do him in that way, nay with forty-fold — if he is an honest man — he can do us more good than any in the West and I will love him hereafter — but I fear.[1]

Yours Cordially.

Cowles Mead.

To James Wilkinson

New Orleans December 24th 1806.

Genl. Wilkinson.

Will you be good enough to direct the proper officer,

[1] Mead never trusted Burr.

to deliver to the order of Colo: Dorciere of the second Regiment of Militia, three hundred stand of public muskets for the use of said Militia.

Signed Wm. C. C. Claiborne.

Note— About ten days since Colo: Macarty of the 4th Regiment of Militia, received an order from the undersigned, for three hundred stand of public Muskets, for the use of said Regiment.

Signed Wm. C. C. C.

To R. McShane

N. O. December 8th 1806.

R. McShane Esqr.
Secy. to the N. O. chamber of Commerce.

Being desirous to converse with the Merchants of this City on a subject of great interest, I must ask the favour of you to solicit the several members of the New Orleans chamber of commerce to meet at the Government House, on Tomorrow morning at half past nine O'clock.

Signed Wm. C. C. Claiborne.

To Capt. Shaw

N. O. December 9th 1806.

Capt. Shaw.

You will permit no Vessel, to depart from this Port, unless the Captain or Commander thereof, shall produce to you a permission in writing, signed by General Wilkinson or myself.

Signed Wm. C. C. Claiborne.

To Wm. Brown

N. O. December 10th 1806.

Wm. Brown.

You are fully apprised of the just causes for the apprehension of danger, from a lawless & formidable association, and of the request which has been made to me,

by the Merchants of New Orleans, not to permit a Vessel to depart from the Port, until the necessary number of sailors for the Service of the Navy on this Station shall have been obtained. I have therefore to solicit, that in aid of the orders I have given in conformity to the advice and request of the Merchants, that you will avoid for the present, issuing clearances to any vessel, unless the same should be asked either by General Wilkinson or myself.

Signed Wm. C. C. Claiborne.

To Capt. Shaw

N. O. December 15th 1806.

Capt. Shaw.

In answer to your letter of this morning, I give it as my opinion, that the Ketch Etna should ascend the Mississippi with all possible dispatch, and in conjunction with the Gun Boats No. 13 & 14 oppose by force the descent of any armed & unauthorised Body of Men.

Signed Wm. C. C. Claiborne.

To James Madison

N. O. December 17th 1806.

Secy. of State.

The inclosure No. 1 is a Copy of a letter which I have received from General Wilkinson, and that No. 2 of the answer which has been returned.

I persuade myself, that the Danger is not not as great, as the General apprehends; but in no event will I take upon myself to suspend the privilege of the *Writ of habeas Corpus,* & to proclaim *martial Law.*

Signed Wm. C. C. Claiborne.

To Albert Gallatin

N. O. December 22d 1806.

Secy. of the Treasury.

I have this day drawn upon you for 200 Dollars in favour of William Brown the Collector, being the balance due for the contingent appropriation for this Territory for the year 1806. The a/c and vouchers for the present Quarter will be forwarded the 1st week in January.

Signed Wm. C. C. Claiborne

To James Wilkinson

N. O. December 25th 1806.

Genl. Wilkinson.

Taking into view the peculiar situation of this Territory; menaced by an internal Foe, whose early approach to this City, you had good reason to apprehend, I must confess, that my impression has been, that your arrest of Bollman, the known agent of the Conspirators was (from the peculiar circumstances of the case) justifiable; but when that man, or any other alike situated, was claimed by the Civil authority, I did think, that, (if within your power) it would have been right and proper to have surrendered him. I have before communicated verbally these opinions, and I now deem it proper to give them in writing.

Signed Wm. C. C. Claiborne

Certificate

N. O. December 26. 1806.

Certificate of Capt. Shaw.

I certify that on the morning after I was served with a Writ of habeas Corpus, requiring me to bring before the honorable Judge Workman, the body of Mr. Ogden then confined on board the Ketch Etna, I called upon

Governor Claiborne, and asked his advice how to proceed? The Governor told me the Writ must be obeyed and that if the person claimed was in my power to surrender him. In consequence of the Governor's advice, and my own wish to yield on all occasions obedience to the Civil authority I did carry Mr. Ogden before the Judge and he Mr. Ogden was discharged.

On the same day on which I had this conversation with Governor Claiborne, I accompanied the Governor on a visit to General Wilkinson, the conversation turned upon the events of the day, the Governor gave it as his opinion that it was proper to give up to the Civil Authority all the persons who were claimed, he said to the General that there was a great difference between arresting a man and refusing to surrender him when claimed by the Civil authority, in this latter case the refusal would seem like opposition to the Government— and told the General that as the head of the Civil Government if he was called upon to support the Civil authority he should certainly do so.

The General viewed the persons in confinement as Traitors, he thought the safety of his country was seriously menaced and avowed his determination upon his own responsibility to take the course which he thought was best for his Country's welfare— which was his sole object.

Signed John Shaw
Comd. Naval forces.

New Orleans
Decr. 26. 1806.

To Judge Hall

N. O. December 26th 1806.

Judge Hall.

I have the honor to acknowledge the receipt of your letter of this day, and to inform you, that the communication to which you allude was several Days since trans-

mitted to General Wilkinson; he however has not yet acknowledged (in writing) the reception thereof, nor has he communicated to me his sentiments thereon.

Signed Wm. C. C. Claiborne

To James Madison

N. O. December 26th 1806.

The Secy. of State.

This letter is merely to acknowledge the receipt of your dispatches of the 9th and 12th Ultimo, which were brought by the Post on yesterday. Except these, no other communications from the Government to me have reached my hands since the month of July last— and I mention this, that you may perceive whether there have been any interceptions or not.

Signed Wm. C. C. Claiborne

P. S. I have received no late information concerning Burr but shall write you more particularly by private conveyance.

To James Wilkinson

N. O. December 26th 1806.

Genl. Wilkinson.

I have the honor to acquaint you that by the last mail I received several dispatches from the Department of State, the latest dated the 12th ultimo, at which time it does not appear that the Administration entertained any apprehensions for the safety of New Orleans, nor is any notice taken of danger in the Western States.

With respect to our affiars abroad, the Secy. of State expresses himself as follows "We have received no very recent information of the State of our negociations with Spain. The tenor of the last did not preclude hopes of a favorable issue, tho' it would be premature to draw any

positive conclusions from what had passed. Much also may possible depend on the result of other negociations depending among the great powers of Europe. Our information from the mission Extraordinary to Great Britain is also neither very late, nor definite. The negociation had been much retarded by the illness of Mr. Fox the Secretary for foreign affairs, and may feel some further dilatory influence, at least, from his death, which appears to have happened about the middle of Septr. In this case also the State of the British negociations with other powers, particularly France, may have an influence on the British policy towards the U. S. tho' as yet the indications have been rather favorable."

Signed Wm. C. C. Claiborne

To Mr. Castillon

N. O. December 29th 1806.

Mr. Castillon.

It is understood that the late schism among the Catholics of this City, has given rise to a Correspondence between the Honble. Mr. Portalis, the Minister of Worship in France, and yourself.

This correspondence has in part been made public, and has attracted the attention of the *President* of the U. States; In order therefore, that he may be the better informed on a subject, which so immediately interests this portion of the Citizens of the U. States, I have to request you, to furnish me with Copies of the several letters which have passed between yourself and Mr. Portalis.

I take this occasion to assure you, that no use will be made of this correspondence to your Individual injury.

Signed Wm. C. C. Claiborne.

To James Wilkinson

N. O. December 29th 1806.

General Wilkinson.

Will you be good enough to direct the proper officer to deliver to the order of Major Flood of the 1st Regt. of Militia, three hundred Stand of public Muskets for the use of said Regiment.

When these Arms are distributed, I shall have in this City and vicinity (independent of the Volunteer Corps) nine hundred men, completely armed, and shall after Sunday next, be enabled to call them into actual service, upon a very short notice.

Signed Wm. C. C. Claiborne.

To James Wilkinson

N. O. December 29th 1806.

Genl. Ja: Wilkinson.

If any of the officers of this Territory civil or Military or Citizens of the *same* should be implicated in the depositions which you have taken or may take relative to the conspiracy which you are endeavouring to develope, I hasten to request that the names of such Persons, and of the proofs exhibited may be transmitted me, in order that such measures may be resorted to as my duty shall point out.

Signed Wm. C. C. Claiborne.

To Albert Gallatin

N. O. December 31st 1806.

Secy. of the Treasury.

I have this day drawn on you in favor of William Brown Collector of the Port of New Orleans for Twelve hundred and fifty dollars, being the amount of my salary for the Quarter ending this day.

The Contingent, and the Building a/cs., and their

Vouchers, for the present Quarter, will be forwarded by the second Mail in January.

Signed Wm. C. C. Claiborne.

To Capt. Shaw

N. O. December 31st 1806.

Capt, Shaw.

You will be pleased to consider the Order contained in my letter of the 9th instant relative to the departure of Vessels from this Port, as at an end.

Signed Wm. C. C. Claiborne.

From Capt. Shaw

N. O. December 31st 1806.

Govr. Claiborne

I have the honor to inform His Excellency the Governor that the U. S. Ketch Vesuvius, Lieut. Commdt. James T. Leonard is ready to ascend the river. I therefore await your orders.

Signed John Shaw.

To Capt. Shaw

N. O. January 1st 1807.

Capt. Shaw.

In answer to your letter of yesterday, I advise and request that the U. States Ketch Vesuvius should ascend the Mississippi until she shall join the Etna & the two Gun Boats, and that the officer Commanding this little Fleet be ordered to oppose by all the means in his power, the descent of *Colo: Burr & his associates,* or *of any Armed & unauthorised Body of Men.*

On passing the Fort of Baton Rouge, it will be proper

to extend to the Flag of Spain, the respect due to a Nation with whom the United States are at Peace.

The trading Boats on the Mississippi will receive no interruption from the Fleet, and if recourse be had to force, to arrest the progress of an armed & unauthorised Body of Men, even in this case it is desirable that the effusion of Blood be spared as much as possible. If any Prisoners should be made, they will I am sure, receive the most humane treatment, & I request that their names and the particulars attending their Capture, be without delay reported to the Governor of the Territory of Orleans.

I take this occasion to suggest the expediency of keeping me regularly advised (at this interesting Crisis) of the operations of the armed Vessels under your Command, and of such information as you may receive relative to the movements of Colo: Burr and his associates.

Signed Wm. C. C. Claiborne.

To James Wilkinson

N. O. January 2d 1807.

Genl. Wilkinson.

The Battalion of Orleans Volunteers & the Orleans troops of horse being so situated, as to be in readiness to take the Field at a moments warning, and as there seems, to be no immediate & necessary employment for these Corps, I am enclined to think it expedient to rescind the orders of the Ultimo, which placed them under your Command.

This being done, the pay and subsistence of this Detachment will cease; but they will nevertheless be mustered frequently for exercise, and shall be put on duty, whenever the occasion may demand.

Signed Wm. C. C. Claiborne.

To Cowles Mead

N. O. January 2d 1807.

(Private and Confidential)
Cowles Meade.

I have only time to acknowledge the receipt of your letter by Mr. Green; to profess my gratitude for the interest you take in my favour, and to express my approbation of your patriotic sentiments.

The scenes which are passing here are indeed novel & important perhaps I have erred; but believe me, that the purest motive of honest patriotism have influenced, and my best judgement directed all my acts.

I have not approved all the proceedings of General Wilkinson, as will appear by the inclosure marked (A). The arrest of Bollman and others, I considered an infraction of Law; but the refusal to surrender them (when claimed) to the Civil Authority, seemed to me to be opposition to the Government. These sentiments were made known to the General and he was apprized of my intention to support the judiciary, if called upon. Some may indeed think, that it was my duty, unsolicited by the judiciary, to have interposed my authority in their support; perhaps the declining to do so was improper. But if in this, I have erred it is in adhering to a principle which I have long practised upon. I have deemed it my imperious duty to execute the Law; But in Judicial enquiries, I have thought, that the Tribunals of Justice, were the interpreters of the Law, and that before the strong arm of the Executive and of force should be called in aid of the Civil authority, that the Court or some Jedge thereof, should have solicited it. Had that call been made, it would have been obeyed with promptitude.

When I was Governor General of Louisiana, altho' often solicited by subordinate civil officers, to interpose my authority, in the execution of some process issued by an Inferior Court or some Justice of the Peace, my aid was invariably withholden, until the Court or Justice

notified me, that their authority was resisted. Since I have been Governor of the Territory of Orleans, I have adhered to the same principle;– The Sheriff once informed me, that his authority was contemned; that a Sugar Planter, surrounded by his negro's, resisted the execution of a process issuing from the Superior Court; he was told, that on the requisition of a judge of the Superior Court; my aid would promptly be afforded; the requisition was made; an armed Detachment of Men, attended the Sheriff, and the Law was executed.

Within my view; not 20 yards from my own door, Some riotous sailors resisted the execution of a warrant issued by a magistrate; a non commissioned officer an 6 men (I believe) were in duty at the Government House. I was applied to by the Constable for this guard & for support, but it was refused until solicited by the Majistrate who had issued the warrant.

You will consider this letter as private, and I request it may not be shown, to any but *my very particular friends.*

I will write you more particularly in a few Days.

Signed Wm. C. C. Claiborne.

To James Wilkinson

N. O. January 2d 1807.

Genl. Wilkinson.

I am informed from you by Major Claiborne that you have knowledge of a foreigner in this City from Jamaica whose language and movements afford you just grounds to suspect his Agnecy in Colo: Burr's conspiracy, and that you suppose, if his papers were examined, some useful discoveries might be made; If you deem the subject of sufficient importance, to represent it in writing, & will do so, I will pay attention to it as far as the law enables me to do.

Your letter of this morning shall be answered on to-morrow. In the mean time I have to inform you that I have made application to Judge Hall (upon such testimony as was in my power to adduce) to forward process for the seizure of Rd. R. Keene and his paper— and the answer of the Judge is, that proper measures will be taken for the purposes expressed in my communication.

The result of my application to the Judiciary in the Keene's case authorizes me to expect that the civil authority will be competent to give you as well as myself the necessary support in the developing of the Conspiracy, and bringing to punishment such as may be concerned.

Signed Wm. C. C. Claiborne.

From Judge Hall

N. O. January 2d 1807.

Govr. Claiborne. I have the honor to acknowledge the receipt of your letter of today. You may rest assured that proper measures will be taken for the purpose expressed in your communication.

I am with great respect & regard
Your Excellency's most
obedient servant.
Signed Dom: A. Hall.

To Judge Hall

N. O. January 2d 1807.

Dom. A. Hall.

From the dispositions which have this day been sworn and subscribed to in your presence touching the agency of Richard R. Keene in an expedition proposed to be carried on from the U. States by Colo: A. Burr and his associates against the Dominions of his Catholic Ma-

jesty, a Prince in amity with the U. States, I trust you will not esteem it improper in me, to solicit that you take such legal steps, as to you shall seem just, to cause the said Keene to be arrested; and as Mr. Keene is now supposed to be on his passage from Jamaica to N. Orleans, from which former place Mr. Burr expects (as is said) to receive the assistance of a British Fleet, I have further to request, if the testimony and Law warrant the same, that the proper officer be authorized to seized on the papers of Mr. Keene, and that the process may issue, as early as you in your wisdom shall prescribe.

Signed Wm. C. C. Claiborne.

To Capt. Shaw

N. O. January 4th 1807

Captain Shaw.

I am happy to learn by your letter of this morning, that the U. States Schooner Rivenge, and the Gun Barge No. 2 are in readiness for service, and I request, that they may be immediately ordered to ascend the River, and to co-operate with the Ketches & Gun Boats already in advance in accomplishing the objects mentioned in my letter of the 1st Instant.

It is advisable, that the Fleet should meet the Insurgents a considerable distance up the Mississippi; if you could take a position some where near the mouth of Yasous, you would give protection to the Settlements in the Mississippi Territory & more effectually defeat the designs of the Enemy. But much must necessarily be left to your discretion; & I doubt not that your Judgement will properly guide you: The great object is, to arrest the progress of Burr and his associates; the further you can encounter them up the River, the better, and

the entire destruction, or Capture of their Flotilla, will entitle you to the thanks of your Country.

I pray you to keep me regularly advised of the operations of the aremed Vessels under your Command.

Signed Wm. C. C. Claiborne.

To James Wilkinson

N. O. January 4th 1807.

Genl. Wilkinson.

I was prevented on last evening from waiting on you by an unusual press of business, & on this morning a slight indisposition and the heavy Rain, confine me to my house; I however will endeavour to call upon you, in the course of the after noon.

Captain Shaw writes me, that the armed Schooner Rivenge is ready to ascend the River, and will depart on tomorrow. The Militia above New Orleans are unarmed, & in the present eventful Crisis, I think, that the Militia on the Mississippi should (if our supplies permit) be all armed from the public Stores.

In the County of German Coast, the first County above Orleans, there are 555 freemen, & 3,285 Slaves; & in the settlement of Point Coupee, there are not more than 300 Free men, & the amount of Slaves is 3,251; in the other Counties, the Negro's are also numerous. I therefore advise General, that one thousand Stand of Muskets, & a suitable quantity of Ball Cartridges be put on board the Schooner Rivenge, for the purpose of being delivered to the several Colonels of Militia and by them distributed among the privates, in such manner, as I shall direct.

Signed Wm. C. C. Claiborne.

To James Wilkinson

N. O. January 4th 1807.

Genl. Wilkinson.

It was not until 4 O'clock on this day, that I had the honor to receive your letter of yesterday, and I pray you to be assured that its contents should be maturely considered, & my decision thereon made with all the promptitude, which the General interests require. The *Militia* of the whole Territory are now organized; that is to say, they are divided into Regiments, Battalions & Companies; are all enrolled, & regularly officered. Those without the City of New Orleans, have long been in this situation; but unfortunately the yeomanry of the Country have hitherto been unarmed, & hence it has happened, that no progress has been made in introducing discipline. I however entertain a strong hope, that the force of the district will soon be respectable, and that in a few days I shall be enabled to have a considerable detachment of Militia equiped and ready for actual service.

I consider the speedy ascent of the Mississippi by our armed Vessels as essential to the safety of the Territory, and I think it highly important, that they should meet the insurgents a considerable distance above New Orleans; I regret, that the necessary number of Seamen have not yet been obtained; but I hope you may in a measure supply the deficiency by a small detachment, from the regular troops (for soldiers will certainly answer for the Light Barges).

I will endeavour to reply *particularly* to your letter on tomorrow; in the mean time you may be convinced, that its contents shall be communicated to no one; I however cannot believe that the disclosure on a former occasion and to which you now allude came thro' any confident of mine, and this is the cause of my disbelief, *that by that disclosure a fact was communicated, which was*

previously unknown to me; you will recollect the fact to which I have reference; I mean the interview at St. Louis.

I do not think that our affairs are yet so desperate. The Country can & I trust will be saved. No man is more interested in the safety of this Territory than I am, be assured therefore of my Cordial co-operation as far as may be consistent with my power and my duty.

If the Country is endded destined to fall, I shall not be answerable, for to the best of my Judgement my duty shall be faithfully discharged. *Conscious Rectitude* deprives even misfortune of his victory, and with that to comfort me the Clamorous and unjust censures of the whole world, will give me but little concern.

Signed Wm. C. C. Claiborne.

From Cowles Mead

Washington Novr. 23d 1806.

Govr. Claiborne.

I wrote you at the date of the 3d of October on subject of a certain secret plot existing in our Territories, to that letter I have received no reply — aware of your previous punctuality I can but conclude that that letter did not reach you — my letters to the General Government on that and other important subjects I am induced to believe suffered the same fate.

Since my last communication to you I have obtained full and decisive information on the subject of the said association and have collected testimony which proves the thing beyond a doubt. The original plan makes your City the first place of attack — this is given me be a Gentleman of respectability and character, who has hitherto been thought by the conspirators to be friendly to their views — his love of Country has prevailed over his private obligations, and he has thrown himself on his Country for pardon, by an early atonement and disclosure of the scheme — this testimony I shall send in a day or two to the Genl. Government, but I am prevented

by a private promise not to give his name in this Country yet — in addition to this, I send you a copy of Captain Abrams testimony — for the purpose of shewing you the merits of some of your near neighbours.

It is believed here that General Wilkinson is the soul of the conspiracy, and a requisition made of me, for five hundred militia has confirmed the suspicion in the minds of many — this militia was required to defend, or protect New Orleans and support the Laws & Government of the United States. Is New Orleans invaded? is it threatened? or is it believed that any enemy is nearer, than the General Himself?

General Wilkinson is concentrating the whole military force of the United States at New Orleans — he has ordered down the troops from Nachitoches, from Fort St. Stephens and Fort Adams — this last fort is entirely dismanteled — all the ordnance taken away for Orleans or elsewhere — what is all this for? is it to act for you or *against* you? Sir, you cannot be to much on your guard your City is alive with those mischievous spirits & they are trained by the active and restless Daniel Clark — he is their head, father and promoter. Energy Govr. may sustain you—the longer you sleep the more you are enfeebled — death is in delay. I wish not to alarm you unnecessarily, I wish not to inculpate a single innocent character — my object is to serve my Country and expose the traitor.

We are here, in constant watch and ready to march at the first call of our Country — altho' a large portion of the Dons of this Territory are suspected to be engaged in this treason — the body of the Territory is honest, is brave, and ready to hazard their lives & fortunes in their Country's cause.

Your Brother has promised to take charge of this communication — for I write no more * * * * Manuscript torn

To Capts. Johnson and Braddish

N. O. January 5th 1807.

Captains Johnson
& Braddish at the Balize.

It being deemed advisable that early information should be received of the arrival of Vessels in the Mississippi, and of the names of every Passengers &c, Lieutenant Carson has been dispatched to the Balize, and you are requested to convey him on board of all inward bound vessels previous to their passing the Bar or intering into the River.

Signed Wm. C. C. Claiborne.

To the Public

Circular N. O. January 6th 1807.
to the Inhabitants
Farmers.

The Governor of the Territory, compelled by existing circumstances, earnestly envites the good Inhabitants residing on both sides of the River, between *Terre aux Boeufs,* & the first *Church* above the City, to furnish him for a few days, with one tenth of the number of their labouring negro's, for the purpose of assisting in Completing the fortifications of New Orleans. In making this request to his fellow Citizens, the Governor gives a high proof of his confidence in their patriotism, and begs leave to assure them that their safety and happiness are objects very dear to his heart.

Signed Wm. C. C. Claiborne.

N. B. The Inhabitants will be pleased to send males negro's only, together with a list of their names, and to furnish each if convenient, with a Spade. The Negro's will be delivered to at the upper Gate, & will be provisioned by the U. S. while imployed in their service.

Signed Wm. C. C. C.

To Col. Bellechasse

N. O. Jany. 7th 1807.

Colo: Bellechasse.

I have received information that, some months ago certain propositions highly injurious to your Country were made you.

I am told, Sir, that you were invited to take part in an unauthorised expedition to Mexico, and that, as preliminary measures it was proposed to seize upon the person of the present Governor of the Territory of Orleans and send him away by force. That another Governor should be immediately elected by the people — and that you should be named Commander in Chief of the Militia.

You are a Member Sir, of the Council at the Territory, and Commandant of the first Brigade of Militia; I call upon you therefore by all the ties which bind you to this society — and upon your honor as a soldier to inform me whether these reports be true — & to expose to me without reserve the name or names of the persons making them.

I have heard, what no one who knows you could doubt, that you rejected with disdain those wicked propositions — but believe me my dear sir, you have not yet fulfilled your duty until you shall have given me the names of the Conspirators and the particulars of their plan.

The Submitting the propositions to you was as insulting to your private honor as the execution of them would have been to your Country's interest. No private consideration therefore ought to induce you to decline a full disclosure.

Receive I pray you the assurances of my confidance and esteem.

Signed Wm. C. C. Claiborne.

To Commander for Fort St. John

Private N. O. January 7th 1807.

The Officer Commg.
Fort St. John.

Fort St. John being a place of considerable intercourse between the lakes and N. O., and many impediments happening thereat for want of a proper regulation to obviate as much as possible the trouble occasioned to the Executive Office of the Territory, to the officer commanding at the Fort, and to individuals — the Governor has though proper to institute the following regulations, which he request you to assist in carrying into execution as far as it may come under your cognizance.

For all vesseles and Craft of every denomination, whether of this Territory or of the Floridas, trading From or to N. O. by the Bayou St. John, standing Passports may be obtained for said Vessel or Craft and their commanders and crews — provided that such Commanders as reside under the Government of the Floridas shall produce at this office a Certificate from one of their Syndics, giving the names of said Vessels, Commanders and sailors, & saying that they are of right free to trade with the City of N. O.

No cognizance in this regulation is taken of passengers, either White or of Colour, because their Passports, must be special, and it must rest on your judgement, if they attempt to pass without them, whether they be entitled to pass or not? Nevertheless, free persons, who may have no appearance of suspicion about them, have the right to pass and repass, at their own risque, if they think proper to do so.

I a mSir, very respectfully yr. obt. Servt.

Signed R. Claiborne
Secy. to the Govr.

To James Wilkinson

N. O. January 8th 1807.

Genl. Wilkinson.

Permit me to suggest the expediency of furnishing the officer Commanding at the willow Point, with a small Boat, for the purpose of visiting some little distance above the descending Boats, and ordering them to come to, at the point; this regulation will accomodate the Boats descending, and may prevent some accidents. At the present the Centinel I am told, announces the order to come to, by the firing of a musket; this gives some alarm to the Inhabitants, and possibly some chance Ball may take the life of an unoffending Citizen.

Signed Wm. C. C. Claiborne.

To James Madison

N. O. December 31st 1806.

Secy. of State.

This day Governor Claiborne has drawn on you in my favor for one hundred and fifty dollars, founded on the inclosed a/c and voucher. The Governor is led to exhibit the demand to the Department of State, from the nature of the case, and because the appropriation by the U. S. for this Territory is otherwise expended.

Signed Ricd. Claiborne.
Secy. to the Governor.

Speech to Assembly

Governor Claiborne's Speech to the two Houses of the Assembly.

Fellow Citizens of the Legislative Council, and of the House of Representatives.

Since last I had the honor to address you, I have visited the several Districts of the Territory, and the pleasure I experienced in noticing the progressing state

of population & agriculture, was considerably enhanced by the proofs which were afforded me of the virtuous and indutsrious habits of the people; Habits, which while they ensure that degree of wealth essential to the Convenience of Man, cannot fail to Command that tranquility of mind, which sweetens life, and renders society agreeable.

In reflecting upon the present State of the Territory I cannot but look with anxiety to its future destinies. The immediate prospect before us, has justly excited some apprehension, but I am nevertheless persuaded, that we shall ultimately experience a great share of political happiness and prosperity.

While Europe is deploring the ravages of War, and the fate of Nations depending upon the issue of a single Battle, it has hitherto been the favored Lot of the American Citizen, to enjoy in peace, under the auspices of Liberty, the fruits of his industry, and to pursue (within the pale of the prescribed law) the course, which his interests, or his desires suggest.

In the United States therefore, whose Inhabitants have so much cause to be tranquil and happy, it was not to have been expected, that unauthorised expeditions of conquest would have been set on foot and the revolutionizing of a distant Country seriously meditated; much less could it have been supposed, that an attack was contemplated against that "Unity of Government," which makes us one People.

That many well meaning and honest Citizens may have been seduced (thro' various means and artifices) into a promise to participate in an unauthorised expedition to Mexico, I can readily believe; these however will yield from obedience to the call of their Country, and leave their unprincipled Leaders to the disgrace which awaits them;— But it was really with difficulty I could bring myself to think that an association hostile to the Gov-

ernment of the U. States could have been entered into by our Citizens. The proofs however are too strong to be rejected, and the only consolation left to the Patriot is, the well founded hope, that few had approved the traitorous design, and that their wicked machinations, will be speedily and effectually defeated. The occasion however should serve to present forcibly, to our Reflections, the importance of the *Union* to our national prosperity. It is (to use the Language of a departed Patriot) a main Pillar in the Edifice of our real Independence; our tranquility at home; our peace abroad; we should cherish a Cordial, habitual, and immovable attachment to it, & accustom ourselves to speak of it, as the Palladium of our political happiness and safety." Such Gentlemen were the sentiments of that illustrious Man George Washington. After having devoted forty years to the service of his Country, he withdrew to the walks of private life; but on retiring from office, he made to his fellow Citizens and address, which is esteemed a most valuable Legacy. His Counsel is like that of a father to his Children, "It is the disenterested warnings of a parting friend." The subject of this address embraces the best interests of this Territory. I recommend that it be printed as an appendix to your Laws, so that the sentiments it contains may be known to the People, and I pray God they may be cherished to our latest posterity. I fear I have dwel't to long on this Topic; if so my feelings have betrayed me into the error, & in your own sense of patriotism, I am sure to find my apology.

I will now proceed to call your attention to subjects of much local concern, and which require early legislative interference.

On a former occasion, I recommended the judiciary System to your revision, and represented it as exceptionable, & illy adapted to the present State of the Territory. I have had no reason to retract this opinion, but on the

contrary, am confirmed in its correctness. Wrongs should be promptly redressed; all lawful demands speedily recovered, and "Justice administered in the most Cheap and easy manner without delay conformably to the Laws." To attain these great objects, an immediate and radical change, of your present system seems to me advisable. The Legislature is vested with amply powers for the occasion; *It* has authority "to prescribe the powers and Duties of Majistrates and other Civil officers," and to make Laws in all cases for the good Government of the District," not repugnant to the ordinance and Laws of Congress. The abolition therefore, of your County Tribunals, and the division of the Territory into three or more juridical Districts of superior Jurisdiction, I earnestly advise as essential to the conveniece and Interest of our fellow Citizens. The great objections to the County Courts cannot have escaped your observation; their numbers; the frequency of their Sessions, and the extent of their powers; the many officers of Courts; the extravagance in some cases of the fees allowed them; the incessant call for Jurors from among a thin population united to the difficulty experienced by the Executive, in availing the public of the services of Men, qualified and for the high trust of administering the Laws, are well grounded exceptions to the present system.

The inconvenience which result as well to the Territory as to Individuals from the Sessions of the Superior Court being alone holden at New Orleans have long been seen & regretted. The Inhabitant of Nachitoches who finds himself compelled to attend with his witnesses, at New Orleans, must sensibly feel the defects of the present Regulations, & upon examination of the accounts of the Territorial Treasurer, it will be perceived, that the trial of offenders brought from the distant Counties is attended with heavy expence.

If you should think proper to abolish the present in-

ferior Courts, it will be expedient to create in the several Counties some other local Tribunal whose jurisdiction should be limited, the Trials summary, and the decision conclusive.

If you should devide the Territory, into three or more superior juridical Districts, and direct that the Courts be holden by the *Judges* of the Territory, I advise that liberal provision be made by law for defraying their travelling expences:— It is not the province of this Legislature to augment the annual compensation at present allowed these high officers; their faithful and laborious public services cannot fail to recommend them to the liberal patronage of the Government of the United States; but if we should require their attendance in the remote parts of the Territory, justice requires that some allowance be made for the additional personal expenditures which they must necessarily incur.

I have received returns from all the Counties of the Territory (Except Concordia), of the "Census of all the Inhabitants", as directed by Law, these shall be transmitted to the two Houses, and will enable the Legislature "to determine the number of Representatives", and to make a just apportionment thereof among the several Counties.

The Territorial Treasurer will lay before you an account of the Receipts and expenditures from which you will perceive the necessity of a prudent Economy in every department of the Government, as the only means of avoiding a resort to further objects of Taxation. I have discharged in part, the debt due to the Louisiana Bank, and I doubt not, but by the period the whole Sum borrowed, becomes due, I shall from the fund appropriated, be enabled to comply with the engagement of the Territory.

I am not particularly advised of the progress which has been made by the Committee appointed to prepare

and report a Civil Code; but I presume the work is in great forwardness. Whatever of the principles of the Civil Law, which are in unison with the interest of a free People, or that is essential to the security of prosperity in this Territory, I am desirous to retain; I have no disposition unnecessarily, or injuriously to innovate on the former Laws and usages of my fellow Citizens; But in my official Character, I can never approve measures, which will tend to bar the introduction of those great political and legal principles which are cherished thro'-out the United States. Whether or not at this session, it is advisable to inter on the formation of a Civil Code, you Gentlemen, can best determine. For myself I have supposed, that you would be enclined to a short Session, and shall therefore press for consideration, such subjects only, as cannot well be postponed. Among these, the revision of the Militia Law is the most important. The present System is greatly defective; the most unvaried exertions on the part of the officers to entroduce discipline will be of no avail, unless disobedience of orders, and improper conduct on parade be punished with severity; unless Company musters are more frequent, and the fines for non attendance such, as to be sensibly felt by those Citizens, who unmindful of the injunction of the Law, can only be brought thro' fear of a pecuniary forfeiture to the discharge of duty. While on this subject, permit me to suggest for your consideration, the expediency of recognizing the Free men of Colour, who reside in New Orleans and its vicinity as a part of the regular Militia: Under the Government of Spain, they formed a separate Battalion, and were then esteemed (as I am informed) a highly useful Corps. During the temporary Government of Louisiana, I continued them on the same footing, in which I found them, and it is but justice to say, that their conduct was such, as to convince, that the measure was a proper one. The present

Militia law having taken no notice of this former Battalion, it has necessarily been neglected: but the officers who were attached to it, and it is believed, the Privates are still desirous to compose a separate Militia Corps. An address upon the subject which has been made to me by some of their ancient officers, shall be laid before you.

Fellow Citizens of the Legislative Council, and of the House of Representatives.

It gives me pleasure to inform you, that every thing is at present tranquil on our Western Frontier; The retiring of the Spanish Troops to the West Bank of the Sabine; the release from captivity of some American citizens, who were improperly arrested; together with a promise to restore the negro's who had escaped from the service of their masters and sought an Asylum at Nacogdoches, authorise us again to consider our Spanish Neighbours as friendly disposed towards us, & I am persuaded we shall not be found wanting in a return of good offices. This happy adjustment of affairs on the Sabine, will I hope be a prelude to an honorable accomodation of all differences, between the United States and Spain. We have every thing to expect from the wisdom or our Government, & their continued exertions for the general welfare. If the powers of Europe by their frequent appeals to force, are not from habit, enclined to reject justice and reason as the arbiters of National Disputes, we may yet calculate on the enjoyment of Peace. But whatever may be the event of the pending negociations, I feel no apprehension as to any contest which may ensue.

Every Citizen of the U. States has a Country, because he partakes of the Sovereignty; when that Country therefore should demand support, the Spirit of Seventy Six will be awakened; one opinion, one sentiment will prevail; a common Interest will unite every hand and every heart, and Europe will learn the fact, that a

Nation may be sincerely attached to peace, and yet formidable in war.

I wish you Gentlemen, an agreeable session, and I renew to you, the assurances of my faithful co-operation in all measures, which promise to promote the prosperity of the Territory of Orleans.

Signed Wm. C. C. Claiborne.

New Orleans Jany. 13th 1807.

From James Wilkinson

Head Quarters

Govr. Claiborne. New Orleans Jany. 14th 1807.

It is my desire to ascend the River, in order to co-operate with our flotilla under the Command of Captain Shaw, to resist and if possible to defeat the lawless armament, daily expected at Natchez under the conduct of Aaron Burr; to carry this plan into effect, I find the co-operation of a portion of the Militia of the Territory, absolutely indispensable, & therefore I think proper to require from you agreeably to the orders & instructions I have received, from the Executive of the United States, your own Judgement concuring herein, the aid of one Thousand men properly officered, armed & Equip't, to be ready to embark on the 23d Inst: on Barges provided for the movements.

To this force I propose to add every man of the Line, who can with safety be escaped from the Garrison of this City, and it is my duty to press on you, the utmost promptitude in the array of the Corps I have herein required; because I have indubitable information of the arrival of a person of respectability at Natchez on the 6th Inst: who is connected with Mr. Burr in his lawless enterprize, & may be considered his precursor.

Mr. Burr's approach to us will depend on the extent

of his numbers; If he moves in great force his progress will be dilatory, and I trust we shall be able to anticipate him above Natchez, drive him on Shore, destroy his Boats and provisions, and disperse his adherents. If he advances with two thousand men, agreably to his proposition to Doctor Bollman of the 30th Oct. I will seek him wherever he may be found, & will arrest his course and protect the Country.

I am aware sir, that this Territory & the Government of the United States, have many very many Enemies in this City, who in concert with Mr. Burr, aim to subvert the Constitution and the laws under which we Live, to pillage this City, to seize your Shiping, and to carry an expedition against a Country in peace with the United States. It pains me to add but it is my duty to declare, that I have the strongest grounds for believing that Judge Workman, has been deeply and actively engaged in these nefarious projects.

Signed Ja: Wilkinson.

To James Wilkinson

N. O. Jany. 15th 1807.

Genl. Wilkinson.

Will you be good enough to direct the proper officer to deliver to Colo: Villeré of the third Militia Regiment, or to his order, two hundred Stand of public Muskets for the use of said Militia.

Signed Wm. C. C. Claiborne.

To James Madison

N. O. Jany. 15th 1807.

Secretary of State.

The inclosed is a Copy of my address to the two houses of Assembly.

On yesterday Genl. Adair, attended only by a servant arrived in this City, after a rapid Journey from Nash-

ville in Tennessee, and was immediately arrested by orders of Genl. Wilkinson, and is now (I learn) on his passage to the City of Washington; several other individuals were also arrested by the Military on yesterday, but have on this morning been delivered to the civil authority. The State of things here for some time past has been most unpleasant; the Judges are greatly dissatisfied & there are many persons who much censure the General, for his strong acts, and also myself, for not opposing them with force; there are others again, (perhaps a majority of the Inhabitants of the City) who applaud the measures pursued, and think them such, as could alone ensure the General safety. For myself I believe the General is actuated by a sincere disposition to serve the best Interest of his Country; but his zeal I fear, has carried him too far:— his responsibility however is great, and I hope he may be enabled to justify himself. On my own account, I feel no apprehension as to the part I have acted; my whole conduct has been guided by my best judgement, and when fully and impartially investigated will be approved. The uncertainty (at this period) as to the safe conveyance of letters from this to the Atlantic States, induces me for the present to decline entering into a full explanation of my conduct, and Stating the various considerations which have influenced it; but I pray you to receive no unfavorable impressions; I pledge myself to you, that in due time, I will satisfy the administration, that under all circumstances, and in a situation so singular and embarrassing, I have done that which was best. I suspect the House of Representatives of this Territory will pass some resolutions, expressive of their disapprobation of General Wilkinson's conduct, and of a forbearance on my part, which they may suppose censurable. Be this as it may, I shall nevertheless be convinced, that in my singular & embarrassing situation, I have done that

which was best, & I have no doubt, but that it will be in my power to convince you of the fact.[1]

My apprehensions of Mr. Burr & his associates have in a great measure subsided; but the security I now feel, may be attributed to the preparations which have been made here to meet danger. My impressions are strong, that there are many disaffected persons in this City; there are a few Citizens whom I believe to be unjustly implicated; other's to whom a charge of Imprudence ought (probably) in truth alone to attach; but there is good reason to suppose, that some persons here (from whom standing in society a contrary course was expected) meditated much mischief:— They however are now unable to produce evil; a profusion of abuse on their part, will certainly be bestwoed on the officers who have exposed their wicked views; but in this quarter, it will do no harm.

Signed Wm. C. C. Claiborne.

P. S. I inclose you Copies of Letters from Mr. Secretary Mead, and Genl. Wilkinson; they will acquaint you in part of the names of the dangerous members of this Society, & will induce you I am sure, to appreciate fully the very delicate situation in which I am placed.

Signed Wm. C. C. C.

To Members of Congress

N. O. Jany. 15th 1807.

Several Member of Congress.

You will have been apprized of the alarm, which the movements and designs of Colo: Burr in the Western States has excited in this Territory, and the preparations which have been making here to defeat his objects. I

[1] Claiborne had recovered from his first panic by this time. He was beginning to be doubtful of Wilkinson.

trust however, that the danger has passed; but if that security, which I now feel, should continue, I am persueded it may be attributable to the exertions which have been made in this quarter to meet and to repel any attack from within.

General Adair arrived in this City on yesterday, & was immediately arrested by orders from General Wilkinson, and is now (I learn) on his passage to Washington. These military arrests have greatly agitated the public mind, and rendered the Judiciary of the Territory much dissatisfied; I am censored by a portion of this Society for not opposing (with force) some of the General's measures particularly his arrests: but I have no apprehension as to the part I have acted; In my very singular and embarrassing situation, my best judgment has directed my conduct: I have not time by this opportunity to state the various considerations which have influenced my actions; but I am greatly deceived, if when these shall be explained, I shall stand completely Justified.

General Adair was from Nashville, he passed thro' the Chactaw Nation, and was the first to announce his arrival here; he reported that Colo: Burr attended by a servant only, would be in this City in three days.

Signed Wm. C. C. Claiborne

To James Brown

N. O. January 17th 1807.

James Brown Esqr.

I have not myself taken any Depositions relative to the conspiracy which at this time agitates the public mind, nor have I at present in my possession, testimony, against any Individual; but under an impression, that the enclosed Deposition of a Mr. Abrams of the Mississippi Territory, may assist you, in the enquiry about to commence I now enclose it.

Signed Wm. C. C. Claiborne.

P. S. A letter from Colo: Bellechasse to me, which

might also assist in the enquiry, I lately handed to Mr. Gurley the Atty. General of the Territory, & to whom you have my permission to apply for the same.

Signed Wm. C. C. C.

To James Wilkinson

N. O. Jany. 17th 1807.

Genl. Wilkinson.

The Guard at the Willow Grove, is a subject of great and continued complaints; Citizens of the Territory coming by water to the City complain of unnecessary interruption, and those descending the River from above of much inconvenience and injurious detention.

It is far from my wish to object to any necessary precautions; I do not consider the danger as passed, & therefore am still enclined to observe much vigilance; but my impression is, that all boats descending the Ohio, or from the Mississippi after being brought to at the Point, and examined by the Justice of the Peace Mr. Hames should if no suspicion attaches to them be permitted to pass; and with respect to the trading Barges between the City and the settlements in this Territory, on the River, I should think that no other detention would be necessary to ascertain from whence they came, and whether the Crew is composed of Inhabitants of the Territory. As relates to the suspicious persons, who may be arrested, at the Willow Point, "I advise that they be immediately sent to me, and I will loose no time in having them bound over to keep the Peace and be of good behaviour, or prosecuted according to the evidence against them respectively", as directed by the Secretary at War in his letter of the 20th of December last.

I have intended to have called at your Quarters on this evening, but am prevented by the weather; A report has just reached me, that Colo: Burr has committed

an Act of suicide; but I attach little credit to it; perhaps it is one of those Story's, which the foolish with of this City, call "a Bore"; but I should call it a lie, and for which, I wish the law had prescribed as a punishment 39 Lashes.

Signed Wm. C. C. Claiborne

To James Brown

N. O. Jany. 19th 1807.

James Brown Esqr.

In answer to your letter of yesterday, and in conformity to your desire, I hasten to inform you, that I have employed Council to aid you in the important prosecutions about to be commenced, and that Messr. Gurley & Douncan are the Gentlemen whom I have engaged.

Signed Wm. C. C. Claiborne

To James Wilkinson

N. O. Jany. 19th 1807.

Genl. Wilkinson.

I take this occasion, to submit to you, my present impressions, as to the means proper to be pursued for the security of this Territory and the defeat of Burr & his associates.

1st. The Squadron under Commodore Shaw, should form a junction with all possible dispatch—that with this view, the armed Vessels in advance should halt, until those in the rear, should unite, and then proceed, (if time will permit) to Natchez, Walnut Hills, or the mouth of Yasous, & I there await the arrival of the Insurgents.

The force under Commodore Shaw is respectable; the Vessels are well officered, & sufficiently manned for service; my impression is, that this Naval force could discomfit, any descending Enemy, however numerous, who

should be unprotected by Vessels of War; & that the driving on shore, sinking & capturing of the greater part of the Flotilla of the Insurgents must be the inevitable consequence of a meeting.

2d. Every Boat descending or ascending the River, should be brought to by our Squadron, and such as should be loaded with naval or Military Stores, or should appear under suspicious circumstances, of which the officer commanding must be the Judge, should be detained and sent, to New Orleans for further Enquiry.

3d. That the precautions at the Balize, to-wit, the visiting of every Vessel by an officer, previous to her entering the River be continued, and that a line of Expresses for the conveyance of information from the Balize to this City be immediately established; & that the fort of Plaquemine be put in the best posture of defence which time & circumstances may permit.

4th. That neither vessels nor persons outward bound should pass the Fort of St. John without passports; that coming to New Orleans should be questioned by the officer, & if suspicions as to their views should arise, that they be arrested & immediately forwarded to the Governor for further examination; those to whom no suspicions should attach to be permitted to pass, but their manner, & from whence they came, to be immediately reported to the General, for his information, and by him to be transmitted to the Governor of the Territory.

5th. That if means are not already taken they be immediately resorted to, for establishing a chain of early communication between this City & Natches.

6th. That a letter be addressed to the Executive of the Mississippi Territory, advising him of the measures of precaution & defence, which we propose resorting to on our part, & soliciting information as to the regulations which under existing circumstances have been prescribed in his Territory.

7th. That the Guard at the Willow Point be maintained that the officer be furnished with a Barge, for the purpose of boarding all descending boats; that those from the settlements of this Territory be permitted forthwith to pass, but that all other's be brought to at the Point, and after taking an account of the Cargo & names of the Crew, they likewise permitted to pass, unless some strong suspicions should attach, in which case, they shall be detained and reported without delay to the Governor.

8th. That the patroles of Cavalry near Manshac be continued, with a view of obtaining and forwarding any interesting information.

9th. That the Militia patroles by night thro'out the several Districts on the Coast, should be maintained for the purpose of preserving a strict police among the Slaves.

10th. That the Mayor of the City, should by letter, be invited to cause to be strictly executed the regulations of the Police, concerning Strangers.

11th. That the repairs of the Forts St. Lewis & St. Charles be completed with all possible expedition; and that strong Guards be continued at the Magazines & Arsenals.

12th. That one half of the Regular Troops at least be held in readiness to move up the River; the time of their departure to be regulated by events; and that Draft Horses, and all other necessary equipments be purchased for the use & transportation of such number of Field Pieces, as you may suppose may be usefully employed.

In the various propositions, I believe there is not one, which you have not either already acted upon or anticipated, but by stating them in writing, it will be hereafter seen, that we act in concert.

From the influence of the President's Proclamation, & the present friendly disposition towards the General

Government, of the people of Kentucky & Ohio, as manifested by some late proceedings of their Legislatures united to the preparations for offence & defence in this City, my impressions are, that Colo: Burr will not descend the Mississippi in considerable force; If however this should be still in his power, his progress must necessarily be slow, & we shall have information of his movements in time to co-operate be land (if the occasion requires) with Commodore Shaw in repelling him.

It seems to be probable that Colo: Burr abandoning (from necessity) the idea of moving in force, may endeavour to introduce into this City & its vicinity (unobserved & as private adventurers) a number of his Partisans, for the purpose of carrying the place by surprize. In this event, the regulations herein proposed must prove salutary measures, and to put down, (as well as to defeat) any attempt of the kind, I consider the presence of a respectable regular force here essentially requisite, and that their vigilance should not abate, the more so, because I am now convinced that we already have among us, many disaffected Individuals.

You will observe General, that I have not yet said anything as to the assistance which you may expect from the Militia; I have avoided it, until I know the result of some Militia Bills, which are now pending before the Legislature, and until I shall have an interview upon the subject (which is promised today) with a joint committee of the two Houses: But the Battalion of Volunteers are still subject to your orders, & you may be assured, that as the danger augments my exertions will be unvaried to draw into the field as great a proportion of the Regular Militia as possible. I have recourse to all the means in my power to introduce discipline and order into the respective Corps; for these purposes; the Company officers receive instructions on every other day on points of Duty; companies are ordered to assemble twice

a week, & I have directed several Battalion & Regimental musters for review & inspection.

If the occasion should require I can immediately order on duty in the City a Detachment of Militia. But with respect to my wishes as to the disposition to be made of the Militia generally at the present Crisis, I hope to be enabled particularly to advise you, in a few days.

Signed Wm. C. C. Claiborne

To Col. Fortier

N. O. Jany. 6th 1807.

Colo. Fortier.

You will receive from Captain Read of the Schooner Revenge three hundred muskets, which you will, without delay, deliver to the several Captains of your Regiment, to be by them distributed to the Privates.

Captain Read will also deliver you three Kegs of musket powder for the use of the Regiment.

You will take from the several Captains a receipt for the number of muskets delivered, but you may assure them that in decharge of their receipts, they have only to procure and exhibit the receipts of the men to whom the arms have been confided. It is not intended to exact any improper responsibility for the arms; my object is, to place them in the hands of my fellow Citizens.

The muskets sent you are the best in the public Stores. We have no spare boxes for Cartridges, but as soon as some can be procured, a proper number shall be forwarded to you.

Signed Wm. C. C. Claiborne

To Cowles Mead.

Private.

On the 3d of Jany. 1807. I requested my private Secy. to wait upon General Wilkinson, & to inform him, that he was certainly mistaken in supposing that the Command

of the Volunteers was given him without his request. That he had previously by letter solicited the aid of all the Militia I could give him & the sooner the better; that Captain Shaw had also demanded of me a Militia Guard, (the Regulars under Colo: Cushing not having then arrived) & then circumstances had led to the order which placed the Battalion under the Command of the General; that my letter of yesterday, was intended to apprize him of my then impression, that it was unnecessary to continue the Battalion in the pay of the United States and not to be construed as a revocation of my former orders. That I however had not changed my opinion as to the expediency of withdrawing the Battalion from the immediate service of the U. S. & resuming the Command of that Corps; but that he might be assured, attention should be paid to their discipline, & that they should again be ordered into service, whenever the occasion should demand.

On the morning of the 4th I was about revoking the order, which placed the Battalion under the orders of the General, when information reached me, that Colo: Burr was at Nashville on the 18th of December, and expected to set out in a few days for this Territory; that he had two thousand men at the mouth of Cumberland, and that his forces when collected would exceed six thousand. This information seemed to be so generally reported & believed (upon the Authority of private letters from Nashville) that I determined to make no change for the present of the disposition of the Orleans Volunteers, & also to give all the support in my power to the General. If this officer was faithful to his Country, (& I had every reason to think he was) with my support, it might be Saved; with the most purest intentions and the greatest exertions on his part, if I should enfeeble his Arm, by distrusting him, the Country might be lost, & in this event my fellow Citizens (& what is still worse my conscience)

would never cease to reproach me; and if indeed General Wilkinson should be disposed ultimately to betray his Country, I had not force sufficient to counteract his views.

These were my reflections on the 4th of January, & determined my future conduct. I know I shall be greatly censured by many persons here; It is Indeed uncertain whether in my embarrassing situation, I shall pursue the course which will best serve the interests of my Country. But the searcher of all hearts knows the purity of my intentions, & happen what may—even amidst the clamours & the Censure of the whole American Society, I shall remain Tranquil, & find consolation in my reflections.

Signed Wm. C. C. Claiborne

To Gov. Folch

N. O. Jany. 21st 1807.

Govr. Folch.

I have received your Excellency's letter announcing your arrival at the Bayou St. John, on your voyage to Baton Rouge, and Expressive of a wish to be permitted to proceed to New Orleans with the officers of your suite, & from hence to continue your route to the place of your destination.

I am sorry to oppose any obstacle to your Excellency's desires; but in the present State of affairs in this Territory, & to avoid all cause for rumors, which altho' unfounded, may add to that agitation in the public mind, which has been occasioned by the news this moment received of the arrival of Burr & his associates in the Mississippi Territory, I am constrained to request that your Excellency would continue your voyage by water.

I avail myself of the occasion, to assure your Excellency of the friendly disposition of this Government towards the subjects and Territories of his Catholic Ma-

jesty & to offer you personally the assurances of my very respectful Consideration.

Signed Wm. C. C. Claiborne

To James Wilkinson

N. O. Jany. 21st 1807.

Genl. Wilkinson.

As the Squadron under Commodore Shaw, has instructions to examine all boats descending the Mississippi, & to detain such as may afford just cause of suspicion, I am enclined to think the Guard at the Willow Point no longer necessary.

I take this occasion to acquaint you, that the Cavalry patroles, are sources of much complaint on the part of the Citizens. I hope their conduct has not afforded real grounds for the exceptions taken, but as we now know where Mr. Burr is, & what are his views & prospects, permit me to suggest the Expediency of employing the Cavalry as a Corpse of observation, and for the early conveyance of Intelligence, and that so much of their former orders, as authorised the arrest & detention of travellers be rescinded.

Signed Wm. C. C. Claiborne

To Cowles Mead

N. O. Jany. 21st 1807.

Cowles Mead.

Understanding that Aaron Burr has taken post within the Territory over which you preside, we cannot but express our solicitude lest his *pretensions* to *Innocence,* and the *arts which he may employ to delude and seduce our fellow Citizens from their duty to their Country,* may be partially successful. We rely with confidence on your exertions to seize this Arch-conspirator, and having done

so— permit us to suggest for your consideration, the expediency of placing him without delay on board one of our armed Vessels in the River with an order to the officer to descend with him to this City—or otherwise, if his followers be as numerous as is represented, it is probable it may not be in your power to bring him to trial.

We take this occasion to advise you confidentially to keep a strict Eye upon the Spaniards! Governor Folch is proceeding to Baton Rouge with four hundred men; His co-operation in repelling Burr and his associates is desirable but in the uncertain and menacing state of affairs between the United States & Spain, it is our duty to be vigilant, and to watch the movements of a foreign force which may be in our vicinity.

(Signed Wm. C. C. Claiborne
(Jam: Wilkinson.

To Albert Gallatin

N. O. Jany. 22. 1807.

Secy. of the Treasury.

Inclosed is the a/c and Vouchers for the Public Buildings in this City for the quarter ending the 31st of December 1806. The amount was considerably encreased in consequence of the injuries done by the Gust last fall.

Signed Wm. C. C. Claiborne

To James Madison

N. O. Jany. 22d 1807.

Secy. of State.

Inclosed is an a/c for 200 dollars expended for extra services on a visit to the County Attackapas which I beg may be admitted and passed to my credit.

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[1] The letter book of Mead, acting governor of Mississippi Territory, is on file in the Mississippi Department of Archives and History. It gives official data of Burr's arrest, trial and escape from the Territory.

My journey to Attackapas, was with a view to check a spirit of opposition to the Laws which had manifested itself, to the Civil authority, & I had thought it just, that my personal expenditures, should be remunerated me. The account was submitted some time since, to the Secretary of the Treasury, but that officer was of opinion that the charge should be exhibited to the Department of State.

Signed Wm. C. C. Claiborne.

To Henry Dearborn

N. O. Jany. 22d 1807.

Secy. at War.

Inclosed is an a/c and vouchers for 675 Dollars, 575 being a balance due to me, which I beg may be admitted and passed to my Credit.

My presence in the several Frontier Counties was necessary to the organization of the Militia, & my visit to Nachitoches was deemed essential to the public service— under these circumstances, it seems to me just, that my personal expenditures should be remunerated me.

Signed Wm. C. C. Claiborne

To Albert Gallatin

N. O. Jany. 22d 1807.

Secy. of the Treasury.

Inclosed is the Contingent a/c & vouchers of this Territory for the Quarter ending the 31st of December 1806: also is inclosed a general Contingent a/c down to the same date— by which you will perceive a disbursement over the appropriation, to the amount of $260:57 Cents, which I trust will be justified by the vouchers.

The great pressure of business, by the circumstances

of the times, is the sole cause why these a/cs. were not transmitted with more punctuality.

Signed Wm. C. C. Claiborne.

To Judges Sprigg and Mathews

N. O. Jany. 27th 1807.

Judges Sprigg & Mathews.

As it is no less my duty than wish to keep the President of the U. States advised of the political state of this Territory, & as I have learned, that a late Grand Jury summoned by order of the Honorable the Superior Court, have made some *presentments* which relative to occurrences of a political nature, I have to request, (if the same be not inconsistent with the Rules of Court) that your Clerk, may be directed to furnish me with an attested Copy *thereof*.

Signed Wm. C. C. Claiborne.

From Julien Poydras

N. O. Jany. 22d 1807.

Govr. Claiborne.

The Legislative Council has listened with due attention to the address delivered by your Excellency to the General Assembly. They are happy to hear that you have had occasion to convince yourself that the different districts under your Government contain a population highly estimable for their virtues and industry, & that you have found the Territory in a flourishing State. But the Legislative Council partakes your anxiety on its future destinies, and your astonishment as to the cause which threatens to trouble its tranquility. It is indeed difficult to believe that in the bosom of a Government, the most free that exists on earth, plots, the success of which must be fatal to Liberty, should have been formed.

If however it be true that the ambitious and depraved men, who have conceived such Criminal projects, have found proselytes, the Legislative Council are convinced that it was not among the ancient Inhabitants of this Territory; & and that notwithstanding the dissatisfaction which they once manifested openly, when they thought themselves aggrieved, there is no perfidy nor treason to be apprehended from them by the general Government. If they do not yet possess all the privileges— enjoyed by the American Citizen, they already set so much value on the rights which have been granted to them, that their late privation of those rights, in the present Stormy Circumstances, has created among them the most serious alarms.

The Legislative Council think, as your Excellency, that in the critical situation in which we now Stand, the session of the general assembly must not & cannot be long. The tranquility necessary to Legislative deliberations does not exist amidst warlike preparations. The Council, however, is of opinion that it will be requisite to dispatch the most urgent matters, among which are the amendments to the Militia law, and the alterations to be made to the judiciary system in the several districts of the Territory.

It will probably be found impossible, to proceed, during the session, to the examination of the Civil Code, which a committee of the Legislature, aided by two jurisconsults, have been authorised to prepare; but recommendation must be given to that committee to continue that important work, which, according to their report, is far advanced. The Legislative Council agree with your Excellency in the opinion that the preservation of the Civil Laws, now existing in this Territory, is all essential to the security of property and to the tranquility of the Citizen; but your Excellency needs not apprehend that the General assembly may ever attempt to revive

any law which would tend to bar the introduction of those great political and legal principles which are cherished throughout the U. States, since those principles have already been established among us by an authority superior to ours, and that, even if they were not supreme laws over us, the experience which we have already acquired of their benefits, has made them as dear to us, as they are to other Inhabitants of the United States.

The Legislative Council have heard with satisfaction that tranquillity is restored on our frontiers, that there are hopes if an honorable accomodation of our differences with Spain, & that the negociations entered into with England are like to be soon happily terminated. In so favourable circumstances, it is to be lamented that our repose should be disturbed by internal foes, & that the horrid Civil war should threaten to desolate our Country. But whatever be our situation in war or in peace, amidst political tempests or in the bosom of tranquillity, the Legislative Council think themselves warranted in assuring your Excellency that the fidelity of the inhabitants of this territory to the federal Government will remain unshaken.

Signed J. Poydras
President of the Council.

From the House of Representatives

N. O. Jany. 26th 1807.

Govr. Claiborne.

The Representatives of the Territory of Orleans have heard and read with attention the Communications which your Excellency gave them at the opening of their present session. They could not learn without the greatest indignation that Americans, that members of the Government the most free which ever existed upon earth

may have been blind and perfidious enough to conspire the dismemberment of their own country, the invasion of the Dominions of a Sovereign in amity with the United States, and the entire subversion of the happiness and prosperity of this Territory. We hope however that those nefarious plots shall be speedily defeated by the wisdom of the measures taken by the General Government, and that their effects shall be confined to the anxieties and to the alarms which their discovery has spread upon every part of this Territory.

With regard to the extraordinary measures which have had place for some time past in this Territory although your Excellency has not thought proper to reveal to the Legislature the reasons which have led to them; yet this house considers it as a sacred duty which they owe to themselves and their fellow Citizens, fully to investigate these measures and the motives which have induced them, and to represent the same to the Congress of the U. S.

We feel as your Excellency, the necessity of revising & altering the provisions of the law respecting the establishment of the County Courts. This shall be the object of our immediate attention. We shall in the mean time endeavour to disengage the service of the Militia from the obstacles which now attend it; & to give to the Battalion of free men of Color the activity which their zeal sollicits. Your Excellency may be assured that this house shall always deem it a duty to procure to the civil Executive authority the means of employing and of disposing efficaciously of all the forces of this Territory, persuaded as this house must be that the executive authority shall never employ these forces but in a manner warranted by law and by the Constitution.

We shall examine with attention the other subjects which your Excellency recommends for the Considera-

tion of this house. The happiness of our fellow Citizens shall uniformly be the end of our deliberations; & as this happiness is essentially connected with the principles of the Constitution, you need not fear that those principles should ever be forgotten or misunderstood by the Representatives of this Territory.

May divine providence, Sir, dissipate the blindness of the European powers, and make them sensible by the example of the Northern Americans, that the true happiness of Nations consists in peace, and their real strength in justice.

Permit us, Sir, to request your Excellency to renew to the general Government the oath of our Love, of our devotion, & of our fidelity to the Constitution and of the people of the United States.

By order of the House.
Signed John Watkins
Speaker of the house of Representatives.

attest
Signed Eligius Fromentin
Clerk of the House of Representatives.

To James Madison

N. O. Jany 29th 1807.

Secy. of State.

I have the honor to inclose you the answers which have been returned by the two houses of the assembly to my address of the 13th Instant; You will perceive by these Documents, that the Legislature partake on a great measure, of that agitation which at present pervades the public mind, & that altho' the measures lately pursued here with a view to the public safety, are not openly censured, yet they are not approved; we however are assured of the fidelity of the Ancient Louisianians to th U. States & of their attachment to the General

Government. For myself I do believe that this declaration is correct so far as relates to a majority of the ancient Louisianians, & (perhaps) the whole, so far as to exempt them from all participation in Burr's Conspiracy: but of that portion of our society whose native language is English, I cannot speak so favorably; of the patriotism of many, I have had abundant proofs; but there are others, (& the number I fear not inconsiderable) who I verily believe, would most cordially have supported the views of Burr.

Previous to the receipt of this letter, you will have heard of the arrest of Colo: Burr at Natchez, & of an intention to bring him to trial; but the issue I fear will be most unfortunate; his acquittal will probably ensue, & this dangerous man will be left to continue (undisturbed) in this remote & exposed quarter his wicked Intrigues against the Government of his Country.

I find that in Natchez, also (as in this City) a considerable hue & Cry is raised about the violation of the constitution of the U. States; I am persuaded that many good Citizens complain from the best motives, & with full conviction that there is just cause; but among the most clamorous are men, whom I have some reason to believe would not regret a dismemberment of the Union, or withhold their aid in the Subversion of the Government & laws: these *men* however are now most profuse in their professions of attachment to Constitutional right, & many good people hang around them with the same affection as if *they* really professed the merits of a Hambden or a Sidney. * * * * Manuscript torn * * * * Fourteen pages cut from journal * * * *

N. O. Jany. 16th 1807. Signed Wm. C. C. Claiborne.

Message.

Gentlemen of the Legislative Council & of the house of Representatives!

Desirous of communicating to the Legislative Body, such information as may be in my profession relative to the conspiracy, which at present, so much agitates this Territory, I now transmit you, in entire confidence, a copy of a letter which I have received from the Honorable the Secretary of War, under date of the 20th of December last.

Signed Wm. C. C. Claiborne.

N. O. Jany. 19th 1807.

Message.

Gentlemen of the Legislative Council, & of the House of Representatives!

I cannot withhold from the Legislature, information of the difficulties I experience in causing to be executed the Law "For dividing the Territory of Orleans into Counties, and establishing Courts of inferior Jurisdiction therein". The County of Nachitoches is now & has for several months past, been without either a Sheriff, Coroner, or Treasurer, & it is attributable solely to the circumstance, of an unwillingness on the part of the Citizens capable of discharging those offices of trust, to accept of the same; an unwillingness arising principally from the inadequacy of the compensation for the duties & the responsibility which attach; while therefore, the due administration of Justice is necessarily interrupted at Nachitoches, the public Taxes has for the last year also remained uncollected in that Country. The difficulties in executing our Judiciary system in other Coun-

ties, althro' not equally great, are nevertheless considerable, & can alone be removed by the repeal, or the Amendment of an Act, which after near two years experience, is found to be radically defective, & I add with sincerity, not in my power to execute, either with Justice to the public or to Individuals.

Signed Wm. C. C. Claiborne.

N. O. Feby. 10th 1807.

Message.

Gentlemen of the Legislative Council & of the House of Representatives!

We have been officially informed that the reputed "Leader of the Conspiracy" which has menaced our safety & disturbed our tranquility "was in the hands of the Civil authority at Natchez", and it is now confidently reported (altho' no official information upon the subject has been received by me) that many of his adherents have also arrived in the Mississippi Territory. Among them are two individuals, who are represented to have evaded by flight from the State of Ohio, that punishment which the Law in Justice & in mercy would have awarded against them. One of these persons, I have the most satisfactory information for stating, did in September last, propose to a Citizen, in whose veracity entire confidence may be placed, "to join in a plan to bring about a dissolution of the Union; & after pointing out the advantages which would result to leading men from the erection of separate Government on this side of the Mountains, & observing that the people were ripe for such a measure, he said, their plan would be to go on with an armed force to New Orleans; to seize that place, & after geting the Money in the Banks, the Military

Stores, & the French Artillery there, to force the Country to a separation from the Atlantic States by operating on its commerce". In charity to human nature, I cannot suppose, that all concerned in the Conspiracy, were prepared to support objects so horrible; on the contrary, I am persuaded that many have been seduced into the association by artifice & misrepresentations; and to all such I trust, a generous forgiveness may be extended; I cannot however disguise from the two houses of Assembly, how greatly I regret that the existing Laws do not afford adequate means for the prevention of conspiracy of this diabolical nature; for the discoveries of the parties concerned & for their punishment. I have recently been advised (& from a source entitled to credit) of the approach to this City of an Agent of the Conspirators; I am informed of his name & the route he takes, & have little doubt as to the objects of his mission; & yet I believe, it is not in my power to adduce such proof, as would justify a Civil Majistrate in commiting him to prison, & should I arrest him upon my own authority, a Writ of Habeas Corpus, would most probably rescue him from my possession and he might then be enabled to fulfil the treasonable duty with which he may be charged.

Assured of the fidelity & patriotism of the great Body of the American people; assured also, that by the vigilance of the General & state Government, many of the Adherents of the conspirators, with their Boats & supplies, have been arrested on the waters of the Ohio, & that the arm of the Nation is raised against them I apprehend no permanent misfortune nor can this Territory, in the worst event experience other than a temporary evil; we however owe it to our immediate safety to continue for the present our measures of precaution; and in addition to those already adopted, the expediency of suspending for a short time (& under such restrictions

as may be best calculated to protect the innocent) of the privilege of the Writ of Habeas Corpus, is recommended to your consideration.

Signed Wm. C. C. Claiborne.

N. O. 10th Feby. 1807.

To Robert Williams

N. O. Feby. 10th 1807.

Govr. Williams.

The Secretary for this Territory, Mr. John Graham, in a letter to me, dated on the 25th of December last at Frankfort in Kentucky, says "I have it from a friend in whose veracity I place the fullest confidence, that a Mr. Blannerhasset (who has now gone down the River with about 20 Boats and 200 men) proposed to him (the friend of Mr. Graham) in September last, to join him (Blannerhasset and Colo: Burr, in a plan to bring about a dissolution of the union; & after pointing out the * * * * Four pages have been cut out of the Journal here— * * * *

* * * * this latter conjecture the most probable; but a friend of mine who has been in the Spanish Service, arrived from Baton Rouge on yesterday, and assures me that Burr is not there, nor would he now receive the protection of the Spanish Government; on the contrary; my friend gives me his honor, that he perused a letter from the Spanish minister Yrugo to Governor Folch in which Burr is mentioned to be *full of deception* & his real views represented to be hostile to Spain. The letter is said to have reached Baton Rouge a few days since, and that couriers with dispatches from Yrugo, had proceeded to the ulterior Provinces of Mexico.

The District Court here is now engaged in trying Indictments which have been found against Lewis Kerr &

James Workman for seting on foot an expedition against the dominions of Spain. In Kerr's case, a Jury has been impanelled; but after being together for three or four days and not agreeing were discharged, and another trial is to take place on this day. Workman & Kerr are not the only persons implicated in this Business; It seems that there lately existed at this place a Mexican association whose proceedings were secret, & the members bound by an Oath. In this association there were several persons, whose standing in society was the most respectable; Doctor John Watkins the Mayor of New Orleans, is of the number; I have heretofore esteemed the Doctor an amiable & useful Citizen; But unless he can rescue his character from the reproach to which it is now subjected, painful as it may be to me, my confidence in him shall be withdrawn forever.

Your letter in Cypher under date of the 12th of Jany. last has been received, & I will make every exertion to obtain for you the desired information.

I have good reason to believe, that Yrugo the Spanish Minister under an impression that Burr's sole object was the division of the American union, *did give countenance and aid to the Traitor;* I am told by a person, attached to the Spanish service, that Yrugo, (early in the last year) advised the Governors of Havanna, Pensacola & Baton Rouge of the designs of Burr, & that Folch & Grand pre were advised to place at the disposition of Burr such cannon, muskets & ammunition, as they could conveniently spare; my informant gives it as his opinion, that had Burr appeared before Baton Rouge three weeks ago, the Fort could immediately have been surrendered to him; but that Yrugo's last dispatches had given great

alarm to the Spanish agents, & had put them upon their guard against the traitorous adventurer.[1]

Signed Wm. C. C. Claiborne.

To James Madison

New Orleans
Feby 20th 1807.

Sir,

I have the honor to inclose you, a copy of Some Resolutions which have been adopted by the Legislative Council and House of Representatives of this Territory, in consequence of my message of the 10th Instant.—

You will perceive by these documents, that the power of suspending "the privilege of the Writ of Habeas Corpus", is supposed not be vested in the Territorial Legislature;— an opinion which if correct, will evince the necessity of the Ordinance for our Government being so amended, as to give the right of suspension in *all,* or some *one* of the branches of the Territorial Legislature, for late experience has proved the expediency in *time of Rebellion,* of arresting & confining persons against whom just causes of suspicion may arise.—

You will also observe the patriotic sentiments which these resolutions convey; I must confess, that I should have been better pleased, if the Legislature had thought proper to give as a *test of their patriotism* some strong law suited for the occasion;— under an impression however, that their professions are sincere, I transmit them to you with much pleasure.—

It is here reported & believed that the Marquis of Caso Calvo, on his return from Spain has arrived at Havanna & is destined for Pensacola, having received the appointment of Captain General & Governor of the Flor-

[1] The Burr Conspiracy by McCaleb is the best study of the Burr episode that we have.

idas;— It is also reported, that the Spanish force at Nacogdoches is augmenting; but to this rumour, I give no credit, since late letters from doctor Sibley, make no mention of it.—

I believe we have nothing further to fear from the designs of Burr;— I trust however, that the Government will spare no pains in developing his *traitorous project,* & giving publicity to the names of all who approved *the same;* for it is important that the good Citizens of the U. States should know the Men who meditated the destruction of our Government, Liberty & Laws.

I am Sir,
with great respect
yo: mo: obt. Servt.
William C. C. Claiborne

The Secretary of State.

P. S. A copy of my message of the 10th, Inst. was forwarded you by the last Mail.

From the House of Representatives

To his Excellency the
Governor of the Territory.

New Orleans february 18th 1807.

Sir,

I am requested by the house of Representatives to transmit to your Excellency the inclosed Resolution, one in reply to your Excellency's secret message of the 10th instant, the other a joint resolution of both Branches of the — Legislature expressive of their Determination to Cooperate with the Executive of this territory to the full extent of their power in everything which may be deemed

necessary for the defense and protection of the said Territory.

I have the honor to be with the highest
Sentiments of respect and esteem,
Your Excellency's most obedient
humble servant,
John Watkins
Speaker of the house of Representatives.

Feby 17—1807—

Resolved That the House of Representatives of the territory of Orleans, have Examined with attention the Constitution of the United States, and the ordinance of Congress by which this Territory is Governed, and they are of opinion that they cannot, without violating the Constitution, suspend under any restriction whatever the writ of Habeas Corpus./.

John Watkins
Speaker of the house of Representatives.

To James Madison

New Orleans
March 6. 1807.

Dear Sir

I fear I was greatly deceived in the character which was given me of a Mr. Hopkins, a young man who was the bearer of my dispatches of the 5. & 6. of December last.— I have heard from good authority that he lost by gaming some money at Natchez and behaved otherwise imprudently.— His indiscretions were renewed at Nashville; and I fear it is true that he is undeserving of confidence: While therefore I have seriously to regret that I was so far misled as to speak favorably of this young

man in my letters to you, I cannot but express my sincere desire that he may not have obtained a commission in the army for which I recommended him

I am Dr. Sir,
Your friend
W. C. C. Claiborne

The honble
James Madison.

To James Madison
New Orleans April 21st, 1807.

Sir

Governor Folch of Pensacola has recommenced his unfriendly proceedings towards the US. He has refused a passage to the American troops by the way of Mobile to Fort Stoddart, and threatens to oppose them with force of arms. The commerce also of the US on the Mobile continues subject to detention and embarrassment;— duties are exacted, even on the Military Shores of the US, as will appear by the deposition inclosed.

The refusal of a passage by the Mobile, to the American troops, Governor Folch affects to consider as a just retaliation for the late conduct observed on the part of the Executive of this Territory towards certain Vessels and troops of His Catholic Majesty. He complains that an armed vessel of Spain was detained under the Guns of the fort of Plaquemine; and that a passage by the route of N O to Baton Rouge was refused a detachment of Spanish Troops;— All this is true, but affords no just grounds for the unfriendly proceedings to which he has resorted. The vessel was detained at Plaquemine under a regulation which has existed from the commencement of my administration in this Territory.— It is general, and applies to each and every foreign armed vessel;— all such are detained at the fort until they are reported

by the officer commanding, to the Governor, and his permission for their passage up the river, obtained.— It is a regulation of police; one which the Executive of the US prescribed, and I have enforced. The armed vessels of France, England, and Spain are alike subjected to this regulation, and it is now for the first time complained of by an agent of the latter power.

The refusal of a passage by the route of N O to Baton Rouge, alluded to, happened in January last. At a period when this City was in a state of alarm by the movements of Burr, Governor Folch notified to me his arrival at the mouth of the Bayou St. John, and requested permission to pass by N O on his way to B R.— he was answered in terms the most respectful, that it would be agreeable to me that he should continue his route by water; at the same time renewing to him the assurances of the friendly disposition of the Government of the US towards that of Spain. Had a passage for the American troops by land through the Country possessed by Spain been claimed— I should not have been surprised at a refusal, and the late conduct of the Executive of this Territory would have furnished a precedent; but the denial of the navigation of the Mobile, and the renewal of the Duties on american commerce can alone be attributed to an unfriendly and hostile disposition on the part of Spain, or of her Agents.

I contemplate taking my departure for the US in about 3 weeks, and am making the necessary arrangements for my voyage. Mr. Graham has been confined for several days with a bilious attack; but I trust the disease will not prove serious, and that he will soon be enabled to take charge of the Government.

I am Sir, with great respect,

Your mo. obt. servt.

William C. C. Claiborne

The Secy of State.

——— „ ——— „ ———

Sworn Statement

City of New Orleans ss

Be it Remembered that on this twentieth day of April in the Year of our Lord one Thousand Eight Hundred & Seven Before me the Subscriber one of the Justices of the Peace in and for the Parish of New Orleans personally came & appeared Thomas Lamb, who being duly Sworn on the Holy Evangelist of Almighty God deposeth & Saith that on the Evening of the Sixteenth of March last 1807 he arrived in Mobile on board of the Sloop called Cartor and he & Captain John Brown master of the aforesaid Sloop Castor delivered all their letters and papers to Mr. Gordon according to order; and by whom an express was sent early the following morning (17th March) to the consignee. the said express was to whom we delivered our letters for Fort Stoddart. That at the usual time in the morning this deponent Capt. John Brown with Mr. Gordon waited on his Excellency the commandant of Mobile, in order to obtain permission to pass on to Fort Stoddart, if possible the reply of the said commandant was that until regular invoices should be presented, the goods examined, and the Duties paid, they should not pass on. On the thirtieth of March Ensign Mitchell of the United States army arrived at Mobile and brought a letter from Edmund P. Gaines, for his Excellency the commandant. Mr Gordon & Capt. John Brown; the next morning Mr Gordon Ensign Mitchell Captain John Brown and this deponent, waited on said commandant, when Mr. Gordon then informed him that he could not pay any duties having received orders to the contrary. Ensign Mitchell requested from said commandant an answer to the letter he had delivered him the evening before, the answer was that he would receive it the day after, as the said letter was to be translated. Captain Brown and this deponent requested a permission to proceed on their Voyage, they having received orders to that Effect. the said command-

ant answered loudly NO, that if they moved he (the commandant) would seize the Vessel and cargo and put Capt John Brown and this deponent in the Fort;— This deponent & Capt John Brown consulted with Ensign Mitchell, and they all agreed to wait for the commandant's answer and then send on an express to Fort Stoddart;— On the first of April they again waited on the commandant to get an immediate answer as this deponent was waiting to take it to Fort Stoddart— The commandent's answer was that he would take the cargo out in four days and put it in the Fort, and as to the letter he would answer it when he thought proper. This deponent instantly started for fort Stoddart but on his way met Mr. G. Gaines agent for the Choctaw Factory, with whom this deponent returned to Mobile— Said G. Gaines and Mr Gordon waited on the commandant in order to clear the Vessel and cargo, but were informed that the Military Stores could not be permitted to pass without paying duties, of which said G. Gaines said he had no orders to pay duties—and requested Capt Brown & deponent to have the goods landed in order that he might send his goods on, but they refused having no orders to that effect unless he would become Security for them, or land said goods himself, which he refused to do—Then this deponent went to Fort Stoddart to receive further orders, which orders he received, and returned immediately to Mobile, and found G. Gaines invoices & petition ready— The next morning he presented the same and got permission to pass with the Factory goods. Capt Brown at the same time presented his petitions on which the commandant put his decree, which was interpreted: That no goods could pass without paying the Royal duties and to shew their authority for petitioning in such an urgent manner. They then handed him their letters of introduction and were ordered to appear again at Three oClock with the king's interpreter, which they

did. The commandant then ask'd the interpreter some questions & after a few words passed he the commandant said he was commandant in Mobile—The answer which this deponent did not fully understand but believes it was that the lash of the law would first fall on us and to take care what we did, this deponent again requested the commandant to give a certificate in writing that they might return to their Government with, which was denied— This deponent then said that they must proceed, holding at the same time forth his instructions and said that officers in his Government were not afraid to give written orders by which citizens should proceed— with much warmth the commandant replied, get your letter translated into Spanish with a petition shewing what your request is, and I will give you an answer—& have the petition drawn in the usual form This deponent answered that he was limited and could not petition in the usual form— The commandant then told this deponent that he would give him Three ways to choose. Either to pay the duties, to make a deposit or give Security that the duties should be paid (or not paid) when finally determined between the two governments of which this deponent acquainted George Gaines,— who went with deponent to the commandant, and being fully informed of the Facts, he procured security for the payment of the duties on the military Stores—George Gaines & deponent then went to the different persons who writes petitions in order to present one to the said commandant for the passage of the Military Stores on the Terms above specified, but were informed that the commandant had given orders to the petition writers not to write any petitions between the two governments for fear they might bring themselves into trouble. This deponent & George Gaines with the Kings interpreter went to the commandant and related to him the orders he had issued: and consequently could not get a petition drawn:

& that George Gaines told him he was going to leave Mobile— the commandant told him he might go or stay as he pleased and gave him no other answer— This deponent then determined to have his letter translated with a petition showing what was his request, but met with the same refusal from the Petition writers—

Thos Lamb

Sworn & Subscribed before me)
the day & year within written)
B Cenas)
Justice of the Peace)

To James Madison

New Orleans
July 16th 1807.

Sir,

An event has happened here,—which has occasioned some agitation in the public mind.—

The Gun Boats on this station are anchored in the Mississippi, opposite New Orleans, and near to the Western shore;— On the 4th of July, a Citizen (a Planter) in the vicinity, was correcting his female slave, whose cries being heard by the officers and Crew of the Gun Boats, three of the young officers accompanied by a few Sailors entered the Citizens enclosure, and released perforce his slave;— The Planter is of respectable standing in this society, and many of his acquaintances feel equally indignant with himself, at this improper interference.— The officers declare themselves to have been alone actuated, by a feeling of humanity, and that the slave was undergoing a cruel chastisement; The Citizens denies this allegation, and the Planters generally, think that the interference of the officers & crew may tend to produce insubordination among their slaves,

and that it is expedient to punish with all the severity of the Law, the actors in this Scene;— The business has of course been brought before one of our Tribunals of Justice, & the paper inclosed will furnish you with a Copy of the Judges Charge on the occasion.

There are persons, who were desirous of assimilating this late transaction, to the military arrests of last winter, & who complain much of Military Despotism, probably with a view of exciting tumult and disorder;— But the public mind was speedily calmed, and the affair will take the course, which Law and Justice shall prescribe.—

I have the pleasure to inform you, that I am entirely recovered of my late Indisposition.—

I have the honor to be
Sir,
with great respect
yo: hble Servt
William C. C. Claiborne.

The Secy of State. ——— „ ——— „ ———

To James Madison

New Orleans
July 21st 1807.

Sir,

By the northern mail of this morning, we have private letters, which state the attack & Capture of an American Frigate, near the Capes of Virginia, by a British Ship of War.

The news has excited much alarm among the Merchants, and will probably delay the Departure of such vessels from this Port as are destined for Europe, until some official information, relative to the Capture shall be received.—

My news papers from the Northward scarcely ever reach me;— may I ask the favour of you, to inclose the

national Intelligence under cover to me, & to forward it by the Fort Stoddart mail.— I have written to the Editor, and requested him to send my papers to the Department of State, and if one of the Gentlemen in your office, will be good enough to inclose them under the form of a letter, I shall be greatly obliged.—

I am Sir,
with great esteem & respect
yo: hble Servt.
William C. C. Claiborne.

The Honble
James Madison
Secy of State.

———„———„———

From Gov. Folch

Translation.

His Excellency
Governor W. C. C.
Claiborne
Sir

When I Departed from New Orleans, I was informed by the commandt. of the Mobile that he had kept and deposited in that Fort two hundred fusees with their bayonets, six half pikes, ten Barrels of Powder of one hundred pounds each, twelve hundred dozens of cartonches with bullets and one thousand weights of lead in Planks, which were Forwarded to Fort Stoddart by the schooner Anna, on which circumstance I should have confered with your Excellency if you had not been absent from the capital at that time. on that Account I will be obliged to your Excellency to let me know if there will be any objection against my sending arms and ammunitions by the Mississippi to Baton Rouge whenever the service of my sovereign will require it. The delay or

execution of that measure now depend upon your Excellency's Answer.

May God preserve your Excellency many years

(signed) Vincent Folch

Pensacola June 15th. 1807.

From Gov. Folch

Translation

To his Excellency
Governor C. C. Claiborne
Sir

When your Excellency requested me to allow a passage through the Territory of his Majesty for the Mail of the U. S., I Gave orders to the Commandants and officers thereof to Grant them the same protection as to those of my Nation, which they have punctually complied with. Being at Baton Rouge During the months of January, February, March and April of this year, three Letters were written to me from New Orleans and two from Natchez, without having ever reached my hands. as I am strongly impressed that it will suffice only to mention the fact to you, in order that this strange proceeding may be corrected, I let it know to your Excellency for that purpose, confiding that I will find in your Excellency the same friendly Disposition of which I have given to you the proof above related.

May God Preserve your Excellency During many years.

(Signed) Vincent Folch

Pensacola June 30th. 1807.

To Gov. Folch

(Copy)

New Orleans
July 26th 1807.

Sir,

It was not until the 20th of the present month, that I had the honor to receive your Excellency's letters of the 15th and 30th Ultimo.— In reply to the first, I answer, that *at the present period,* I should not object to the passage of a Spanish Vessel with Military stores by the way of the Mississippi, to Baton Rouge; because I have no orders to that effect, nor do I anticipate any occurrence which would justify my taking upon myself the responsibility of a refusal, unless it should be *the longer detention at Mobile,* (under your Excellency's orders) of the Military Stores of the United States,— As relates to the miscarriage of certain letters, which were addressed to your Excellency, during the months of January, February, March and April of the present year, I can only express my regret, accompanied with the assurances that the wish of the Government of the United States, is, to render the public Mail a safe and speedy consequence for all dispatches which may be confided to it:— But notwithstanding the provisions of the Law, which are well calculated to give security to the Mail, it sometimes happens that letters miscarry arising from accidents, which can neither be foreseen nor controled, and to which I have myself had occasion to attribute the failure of some of my own dispatches.—

I renew to your Excellency the assurances of my great respect and high consideration.—

Signed W. C. C. Claiborne

His Excellency
Governor Folch.—

——— „ ——— „ ———

To James Madison

New Orleans
July 30th 1807.

Sir,

Finding Mrs. Claiborne's Health much impaired, and being apprehensive that a residence here during the summer might endanger her life, I propose leaving this City (with my family) for the Mississippi Territory in the course of the Day.— I shall myself continue in the vicinity of Natchez for four or five Days only, & expect to return to New Orleans on or before the 20th August.

I am not yet advised of the issue of Burr's Trial.

I am Sir,
Very respectfully,
your mo: hble Servt
William C. C. Claiborne

The Honorable
The Secy of State.

——— „ ——— „ ———

To James Madison

Near Natchez August 24th 1807.

Dr Sir,

I shall be detained here longer than I had anticipated. — The extreme heat of the Season, and my state of health will render it inconvenient for me to return to New Orleans by Land, & a Water Conveyance has not yet presented;— I however expect one in a few Days, and shall avail myself thereof.—

By Letters from New Orleans, under date of the 7th Instant, I am advised that a Town Meeting was called for the purpose of expressing a sentiment relative to the outrage committed on the Chesapeake. I am persuaded that the sentiment which may be expressed, will breathe must patriotism and will be delivered with honest sincerity by nearly every native Louisianian and perhaps two thirds of the Americans who may be present.— But

there are some of my Countrymen in New Orleans whom I fear has very little Love either for their Country or Government; and yet I suspect these men will be as noisy on the present occasion, as they were the last winter, about the violation of the Constitution in the Arrest of Certain Traitors.

The Gun Boats on the Mississippi are nearly ready for service, and will (with the Fort of Plaquemine) give security to the Port of New Orleans.

I am D. Sir
With great esteem
Yo: hble srvt
William C. C. Claiborne

To James Madison

Territory of Orleans
County of Ibberville
October 17th 1807.

Sir

The case of the Batture has given rise to a warm Newspaper discussion, which for the present, seems wholly to engage the public Mind.

New Orleans has so long been the residence of the Governor of the Territory, that the Inhabitants of that City, or rather some of them, think me culpable in taking a short excursion into the Country;— But I am persuaded the President will not object to my retiring from the City, whenever in my Judgment the public Convenience may permit, & more especially at a season of the year when the Country air is so essential to the health of myself and family.

I have received no recent information from our Western Frontier; the asylum afforded to fugitive Slaves, in the Province of Taxus, gives much uneasiness to the

Planters of this Territory, & is likely to prove highly injurious.

We have a report of the cession of the Florida's to the United States; it is said to be confirmed in late Letters from Philadelphia;— But I suspect the Report is circulated, with a view to certain Land speculations, which much occupies the attention of some of our self-created Great Men.

I have the honor to be
Sir,
Very respectfully
Yo: mo: obdt sevt
William C. C. Claiborne

The Honble
James Madison
Secy of State.

No. 1. bis

Extract from a letter addressed by the Honb. Albert Gallatin Secretary of the Treasury to James Brown Agent for land claims at New Orleans dated Washington City October 13th 1807.

"I had the honor to Receive your letter of 30th July "together with a plan of the Commons of New Orleans "and act of the Corporation. The claim of the Corpora- "tion to the Commons being expressly limited by law "to six hundred yards from the fortifications, I am not "authorised to recognize a different boundary. Such "recognition on my part would indeed be a nullity and "confer no title for the land lying more than six hun- "dred yards from the fortifications. It appears to me "on examination of the plan, that the portion not con- "templated by the act of Congress, and included within "the survey is particularly that part of ground between "the river and the City, and the River itself, including "also some land between each of the 600 Suburbs & the

"River some indeed clear by more than six hundred "yards from any part of the fortifications and City; "Whether the City has any right to either part of it, "either land or water, I do not Know. If they have, it "should be stated and it will be taken into consideration "by Congress. But that no claim thereto was recog- "nized by the act of March 3d 1807 is evident; for not "only the word *fortifications* is used, which excludes "whatever ground (land or water) is adjacent to the un- "fortified City line along the River, but the claim rec- "ognized is only to the *Commons,* and certainly neither "the open space between the buildings of the City and "the River nor still less the Mississippi itself, have ever "been Known, or could with propriety be designated by "that name. Nor is it probable that congress would "give an absolute fee of the Navigable part of a River, "which is so evidently a high way, without at least re- "strictions Necessary for the perpetual and free enjoy- "ment of its navigation to all the Citizens of the United "States."

"The plan itself might easily be altered under the "authority of the United States so as to make it con- "sistent with the act of congress. But the act of re- "lease by the Corporation is itself inadmissible, a proviso "having under the denomination of *bien entendu,* been "introduced by which they reserve a right of measuring "the six hundred yards on all the aspects (saus tautes "les faces) that is to say from every side of the City. "This is not a pure and simple acceptance of the act of "Congress, and if the Corporation does not think proper "to accept without annexing Conditions of their own, it "amounts to a refusal to accept and places it on the "ground of a new application to Congress. I wish "therefore the corporation to decide whether they will, "by abandoning the reservation or explanation above "mentioned, comply with the requisites of the law and

"thus secure to themselves the undisputed title to the "part of the Commons specified in the act of Congress, "or whether they insist on the Said reservation or ex- "planation, in which last case I will state the circum- "stances to congress, or they may, if they prefer it "make an application to that body."

"As to the fortifications themselves I do not believe "it probable that they will be preserved, but it seems to "me that the ground which they occupy is not included "in the Recognition of the Corporations claim by Con- "gress; and that unless that ground has by some antece- "dent grant become the Corporations property it re- "mains subject to the future disposition of Congress.

True Copy of the Extract delivered by J. A. Brown, Esqr. Agent for Land Claims in the District of Orleans to the honoble. J. A. Mather, Mayor of the Said City. New Orleans December 26th 1807.

Wm. Bouresevort,
City Clerk.

To James Madison

New Orleans
Novr. 14th 1807.

Sir,

I enclose for your perusal a translation of a letter from Governor Folch in answer to a communication I made him on the 26th of July last. I have acknowledged the rect. of Governor Folch's letter and said to him "that without discussing the merits of the *claim* of "Spain to the free navigation of the Mississippi, *or of* "*that* of the Citizens of the U. S. to the undisturbed use "of the waters of the Mobile, I will concede, that, under "existing circumstances, the admission of a passage for "the Military Stores of the U. S. to and from Fort Stod- "dart by the way of the Mobile ought *not* to be consid-

"ered as settling, or in any manner affecting questions "which can alone be finally adjusted by our two Govern- "ments."

I am Sir,
very respectfully
yo: mo: obt. servt.
William C. C. Claiborne

P. S. A copy of my letter of the 26th of July has been transmitted to your Department.—
Secretary of State.

From Gov. Folch

(translation)

To his Excellency
Governor Claiborne
Sir,

The expression of which your Excellency makes use in his official letter of the 26th July last in answer to mine of the 15th June preceding, supposed a reciprocity which is out of my power to acknowledge even if it was right. Spain enjoys an indisputable right to the Navigation of the Mississippi, but the United States have no such claim to the Navigation of the rivers Tombigbee and Alibamon, as it is a point which has never been agitated between the two Governments, and untill a Declaration from his Majesty on that Subject, the Navigation of these Rivers must be considered as a deed of Tolerance, at least untill the Resolution of the King may be received.

When I requested your Excellency to let me know if there was any objection to my sending arms and amunitions up to Baton Rouges by the River Mississippi, it was with a view to have the written opinion of your Excellency thereon and to be enabled to make grounded representation on the rights of the Spanish Flagg, on

the River Mississippi, in case your Excellency should not acknowledge those which have been declared by the existing treaties; it must follow that when the United States should not permit to the Government of Spain what it is in justice entitled to, I can not Give my assent, from complaisances to the passage of the arms and amunition now detained at Mobile.

I had the honor to inform your Excellency during the long conversation which we held, while I was in New Orleans, on the subject of the Navigation of the above mentioned rivers, that every Decision on the points then treated of between us, belong to the Captain General, and that I should venture to take such determination only in time of War and in case of urgency; in pursuance of that line of conduct and in consideration of the want which the United States may have in the present circumstances, of the detained arms and amunitions at the place of their destination, I will suffer (on account of the harmony not existing between us and to me recommended) the said arms and other effects to be delivered and transported where your Excellency may think proper, on condition that this acquiescence shall be considered only as an Act of condescension and not as a thing of obligation which untill his Majesty's decision can not take place.

I will wait for the answer of your Excellency to give my orders at Mobile, if you deem proper to adhere to my proposal which is in my opinion grounded on Justice and tends to foster the continuation of the good understanding subsisting between the two powers.

May God preserve your Excellency During many years.

(Signed) Vincent Folch

Pensacola Fbur. 18th. 1807.

From J. W. Gurley

(Copy)

New Orleans 27th December 1807.

Sir,

In conformity with your Excellency's request, I again on yesterday solicited the opinion of Judge Lewis, in the case of Pedesclaux and Duplessis— In Addition to the reasons which I have reiterated for eight months in order to induce the Court to pronounce their Judgment in this case, I stated yesterday to the Court that the opposite Council had declared it to be their intention in case of a Judgment rendered against them to appeal to the Supreme Court of the United States, under the several provisions contained in the 25th Section of the Act of Congress, entitled "an act to establish the Judicial "Courts of the U. States," & that although I was myself persuaded that the provisions of the Act of Congress did not apply here, yet that if such should be eventually the opinion of the Court, any further delay in pronouncing a Judgment, would carry us beyond the time necessary to carry up the cause at the next session of the Federal Court; That as that Court has but one session in the year, the consequence would be that Pedesclausc Pedesclausc would be continued twelve months longer in an important office against the express appointment of the Executive of the Territory, and the only title to which office that he has ever pretended has been *a purchase from the King of Spain.*———— To these reasons, and others even more important resulting from the great Public inconvenience and extreme embarrassment to individuals, the only reply was that the Judge waited the arrival of Judge Mathews, and that no considerations should hurry him to a decision of this case.—

I cannot but observe that when this case was first brought before the Court, Judge Mathews was upon the Bench, and that then although every effort was made to procure a Judgment, the case was postponed, as the

Judges Stated in order to have the benefit of a full Bench—

It is utterly impossible for me therefore to offer an opinion when a decision of this case will be obtained.—

I have the honor to be
Sir,
your Excellency's
most obt. hble Servt.
Signed J. W. Gurley

His Excellency
William C. C. Claiborne—

To James Madison

New Orleans
Decr. 29th 1807.

Sir,

I have been duly honored with the receipt of your letter of the 20th Ultimo, and am happy to find that my correspondence with the Governor General of Techus, relative to fugitive Slaves, is approved.— I am in daily expectation of receiving an answer from Governor Salcedo, and if my propositions are acceded to, I will endeavor to procure the passage of a Law as advised by the President.—

Pedesclaux's case is yet pending; and from the enclosed letter from the Attorney General of this Territory, there is no hope of an early decision.—

General Moreau is expected here in a few Days— for myself, I attach no suspicion to the movements of that great, but unfortunate Man & I presume his visit to this Territory, does not create a moments anxiety with the President, or otherwise, I would have been apprised thereof—

General Dayton, I am told is on his way hither, and Bollman is said to be near the City;— I fear, we shall

have so "many Choice Spirits" among us, during the winter, that it will be found expedient, to order to New Orleans a greater number of regular Troops.—

I am Sir
with great respect,
yo. mo: obt. servt.
William C. C. Claiborne

The Honble
the Secy of State.

New Orleans
January 12th 1808.

Sir,

I have the honor to transmit to you authentic Copies of the Executive Acts of the Governor of this Territory from the 1st July 1807 to the 31st December in the same year.—

I am Sir
with great respect,
your hble. servt.
Thos. B. Robertson

The Honble
the Secy of State.

Return of Appointments in the Militia of the Territory of Orleans from the 1st day of July 1807, to the 31st day of December 1807 inclusive.—

CAVALRY.

1807.

Octr.—John Thompson ---------- Captain
Christopher Adams ---------- 1st Lieut.
Samuel Cochran ---------- 2d. do
William K. Knox ---------- Cornet
do Martin Gounoir ---------- do

7th Regiment.

Novr— " Leboeuf ---------- Captain
John Landry ---------- do
Nicholas Viver ---------- 1st. Lieut.
William Henry ---------- do
Edward Verret ---------- do
Joseph Solar ---------- 2d. do
Charles Boilau ---------- do
Iurcy Verret ---------- do

Turn over for the 9th Regiment.

9th Regiment.

1807.
5 Novr. Baptist Barra ---------- Captain
Joseph Walker ---------- do
Hatton Middleton ---------- do
Archo. Douglas ---------- do
Louis Chenevert ---------- 1st. Lieut.
Willis Bonner ---------- do
Hambleton Jett ---------- do
Jonathan Dayton ---------- do
Robert Welsh ---------- 2d. do
John Bradshaw ---------- do
Jonathan Stoker ---------- do

10th Regiment.

5 Octr—Placed Boissier ---------- Captain
24 Novr.—John Nancarrow ---------- do
27 " Valentin Layrard ---------- do
5 Oct. Thompson Clack ---------- 1st. Lieut. Adjutant
24 Nov. John Baptist Prudhomme do
5 Oct. John F. Girod ---------- 2d. do
Isaac Ward ---------- do

Orleans Volunteers—

1807.
7 Decr. John H. Lüdeling ---------- Captain

Henry A. Amelung _____1st. Lieut.
Charles A. Amelung _____2d. do

I certify the above to be a true Extract from the record of the official acts of the Governor of the territory of Orleans

Thos. B. Robertson

Return of Civil Appointments, Pardons &c. from the 1st of July 1807, to the 31st Decr. 1807 inclusive—
Orleans Territory.

Proclamations.—

July 5. 1807.
For the General Election of Representatives for the Territory of Orleans.—
Novr. 29. do.
For a Representative in the Room of Henry Brown decd., for the County of Lafourche.
Decr. 15. do.
For a Representative in the Room of John Baptist Poëyfarré desd., for the County of Acadia—

Pardons.

July 10. 1807.
of Daniel Jones, for Manslaughter—
July 10. do.
of Danl. Goldsmith, for Forgery—
July 23. do.
of Louis Alexis, for Riot—
July 29—do.

of Ramson Eastin, for an Assault—
Sept. 7. do.
of John Armstrong, Wm. Crammond, Geo: Wadd & Jn. Johnston, for Larceny—
Sept. 12. do.
of Joseph Provance, for an Assault & Battery—
Oct. 9. do.
of the Indian Called Annetto, for having aided and assisted the escape of Negro's—from their Masters.
Decr. 13. do.
of William Harty, for an Assault—

Civil Appointments.

1807

Judge.

July 11 William Henry—Interior Parish of Lafourche.

Clerks—

Octr. 17 Richard Claiborne—Superior Court, for 1st District

Resigned—
Sept. 17 John Thompson— do 5th do.

Justices of the Peace—

Sept. 5 John Gourjon ---------- Orleans Parish
Decr. 4 Peter Francis Missonet ---------- do. ---- do.
Peter L. Rousier ---------- do. ---- do.
July 17 Louis Blanchard ---------- St. Charles do.
27 Hatch Dent ---------- Rapide do.
Decr. 3 Evan Backer ---------- Avoyelles do.
Peter L'Eglise ---------- do.
July 11 Simon Croiset ---------- Point Coupee
Guillaume André ---------- do.
Etienne Major ---------- do.

Novr. 28 Nicolas Olivier _____St Bernard do.
Antoine Mender _____ do.
Jacques Boisgervais _____ do.
Joseph Solis _____ do.

SHERIFF.

1807
Sept. Ebenezer Cooley— 3d Superior Court District.—

AUCTIONEER.

Sept. 5. James Pitot._____New Orleans

I certify this statement of the Proclamations Pardons & Civil appointments to be a true Extract from the official journal of the Governor of the territory of Orleans.

Thos. B. Robertson

To James Madison

New Orleans
Jany 18th 1808.

Sir,

I have the honor to inclose you a Copy of an Address which I delivered on this day to the Legislative Council & House of Representatives of this Territory.—I trust you will not suppose, that I have been too pointed in my concluding remarks; many of those deluded or wicked men; who so lately combined against the Peace and happiness of our Country, have found it convenient to return to this District, and I wished them, as well as every good Citizen to know in what light I viewed the Conspirators.—

A Pilot Boat in Ballast arrived here on last Evening in thirteen days from New York;— The news she brings is not communicated; but it has given rise to much Commercial speculation, & from the purchases by the House to which the Boat came addressed, of Flour & Salted

provisions, and the exertions made to dispatch Vessels, the opinion is general, that an Embargo has been laid.—

I have the honor to be, Sir,
very respectfully,
yo: mo: obt. Servt.
William C. C. Claiborne

Secy of State

To James Madison

(Private) New Orleans,
Feby 1st 1808.

Dear Sir,

On yesterday I was told by Mr. Desforgues the french Consul, that General Moreau had taken his passage for Charleston, and would sail on the 4th of this month;— But on this morning I have understood, that his voyage is postponed for twenty days.— It seems by the Northern papers, that Moreau's visit hence, has excited some uneasiness, and late private letters from Washington state, that even the Government have become suspicious of his movements;— His objects may indeed be unfriendly, but I cannot (as yet) perceive ought in his conduct to justify such opinion.—We have met at several private parties; his conversations are frank, and in expressing his favorable sentiments towards the Government of the U. States, he does not conceal his dislike of Bonaparte and the present order of things in France.—

Mr. Desforgues, (with whom Moreau lodges) has expressed to me his fears, lest his attentions to the General, may injure him with the Emperor;— But added, that Moreau stood high in his (Desforgues) confidence; that they entertained the the same political sentiments, and regardless of consequences, his House should always be open to an old friend;—such was his Language;— perhaps he spoke not with sincerity— But you will draw your own conclusions.— Governor Folch told me on yes-

terday, that he had received an official account of the late Conspiracy in Spain; that many officers of the Army & Navy were concerned, and he was of opinion, that the thing was not at an end; Governor Folch also told me, that he was advised of a secret expedition from England being in readiness for departure;—that it consisted of twenty thousand Land forces, which were destined against La Neva-Crux, Havanna or Pensacola!

Moreau & Folch observe to each other a polite attention; But there does not appear to be a friendly intimacy;—The suspicions expressed in the Atlantic States as to the objects of the former, have occasioned his reception here to be more cold, than it otherwise would have been.—

I am Dear Sir,
with great esteem,
yo: mo: obt. Servt.
Jam: Madison, William C. C. Claiborne
Secy. of State.— ——— „ ——— „ ———

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(1)

Duplicate

I James Wilkinson Brigadier General & commander in chief of the Army of the United States, to warrant the arrest of Samuel Swartwout, James Alexander Esqr. and Peter V. Ogden, on a charge of Treason, misprision of *Treason* or Such other offence against the Government & Laws of the United States as the following facts may legally charge them with—On my Honor as a Soldier, and on the Holy Evangelists of Almighty God—do declare & swear, that in the beginning of the month of October last when in command at Natchitoches—a Stranger was introduced to me by Colo. Cushing, by the name of Swartwout who a few minutes after the Colo. retired from the room—Slipt into my hand a letter of

formal introduction from Colo. Burr of which the following is a correct copy—

"Philadelphia

"Dear Sir, "25th July 1806.

"Mr. Swartwout the Brother of Colo. S. of New "York, being in his way down the Mississippi and pre- "suming that He may pass you at some Post on the "River, has requested of me a letter of introduction "which I give with pleasure as he is a most most amiable "young man and highly respectable from his Character "and connection—I pray you to afford him any friendly "offices which his situation may require and beg you to "pardon the trouble which this may give you—

"With entire respect

"Your friend & obedt. Servt.

"His Excellency) (Signed) "Aaron Burr"— "Genl. Wilkinson")

Together with a Packet which he informed me he was charged by the same person to deliver me in private— This packet contained a letter in cypher from Colo. Burr of which the following is substantially as fair an interpretation as I have heretofore been able to make—the original of which I hold in my possession—

"I (Aaron Burr) have obtained funds & have actu- "ally commenced the enterprize, Detachments from dif- "ferent points & under different pretences will rendez- "vous on the Ohio 1st November—every thing internal "and external favors views—Protection of England is "secured—T. is going to Jamaica to arrange with the "Admiral on that Station—It will meet on the Missis- "sippi—England— Navy of of the United States are "ready to join and final orders are given to my friends "& followers—It will be an Host of Choice Spirits— "Wilkinson shall be Second to *Burr* only—Wilkinson "shall dictate the rank & promotion of his officers— "*Burr* will proceed westward 1st August—Never to re-

"turn—with him go his daughter— The Husband will "follow in October with a *corps of worthies*"—

"Send forth with an intelligent & confidential friend "with whom Burr may confer— He shall return imme- "diately with further interesting details—This is essen- "tial to concert and harmony of movement— Send a list "of all persons known to *Wilkinson* west of the moun- "tains, who may be useful, with a note delineating their "Characters—By your messenger send me 4 or 5 of the "commissions of your officers, which you can borrow "under any pretence you please—they shall be returned "faithfully—already are orders to the Contractor given "to forward six months provisions to points Wilkinson "may name—this shall not be used until the last moment "& then under proper injunctions—the project is brought "to the Point so long desired—Burr guarantees the re- "sult with his life & honor— With the lives, the honor & "fortunes of hundreds the best blood of our Country— "Burr's plan of ope- operations is to move down rapidly "from the falls on the 15th of Novem. with the first 500 "or 1000 men in light boats now constructing for that "purpose, to be at Natchez between the 5th & 15th of "December— there to meet Wilkinson— then to deter- "mine whether it will be expedient in the first instance "to Seize on or pass by Baton Rouge on receipt of this— "Send Burr an answer—Draw on Burr for all expenses "&ca—The People of the Country to which we are going "are prepared to receive us— Their Agents now with "Burr say, that if we will protect their Religion & will "not Subject them to a foreign power, that in 3 weeks "all will be Settled— The Gods invite to glory and For- "tune—It remains to be seen whether we Deserve the "Boon—The bearer of this goes express to you— He "will hand a formal letter of introduction to you from "Burr —He is a man of inviolable honor and perfect "discretion— found to execute rather than to project—

"Capable of relating facts with fidelity, and incapable of "relating them other wise— He is thouroughly informed "of the Plans & intentions of ———— and will disclose "to you as far as you enquire, and no further— He has "imbibed a reverence for your Character and may be "embarrassed in your presence— Put him at ease, and "he will will Satisfy you"—

"29th July"—

I instantly resolved to avail myself of the reference made to the Bearer, and in the course of some hours drew from him (the Said Swartwout) the following disclosure— "That he had been dispatched by Colonel Burr "from Philadelphia— had passed through the States of "Ohio and Kentucky and proceeded from Louisville for "St. Louis, where he expected to find me, but discovering "at Kaskaskias that I had descended the River, he pro- "cured a skiff hired hands and followed me down the "Mississippi to Fort Adams, and from thence set out "for Natchitoches in Company with Captns. Sparks and "Hooke under the pretence of a disposition to take part "in the Campaign against the Spaniards, then depend- "ing— That Colo. Burr with the support of a powerful "association, extending from New York to New Orleans "was levying an armed body of 7000 men, from the State "of New York and the Western States & Territories, "with a view to carry an expedition against the Mexican "provinces— and that 500 Men under Colo. Swartwout "and a Colo. or Major Tyler were to descend the Alle- "gany, for whose accomodation light boats had been "built and were ready"—I inquired what would be their course, He Said, "this Territory would be revolutionized, "where the People were ready to join them, and that "there would be Some Seizing he Supposed at New Or- "leans— That they expected to be ready to embark about "the first of February, and intended to land at vera "crutz and to march from thence to Mexico"— I ob-

served that there were Several millions of Dollars in the banks of this Place, to which he replied— "We know it full well" and on my remarking that they certainly did not mean to violate private property, He Said, they "Merely Meant to borrow & would return it— that they "must equip themselves in New Orleans, that they ex- "pected naval protection from Great Britain— That the "Capt. ---- ---- and the officers of our own Navy, were "So disgusted with the Government that they were ready "to join— that Similar disgusts prevailed throughout "the western Country where the People were zealous in "favor of the enterprize; and that the Pilot boat built "Schooners were contracted for along our Southern "Coast for their Service— that he had been accompanied "from the falls of Ohio to Kaskaskias & from thence to "Fort Adams by a Mr. Ogden, who had proceeded on to "New Orleans with letters from Colo. Burr to his friends "there"— Swartwout asked me whether I had heard from Doctor Ballman, and on my answering in the negative— He expressed great Surprize and observed, "That "the Doctor & a Mr. Alexander had left Philadelphia be- "fore him, with dispatches for me, and that they were to "proceed by Sea to New Orleans where where he Said "they must have arrived"—

Tho' determined to deceive him if possible, I could not refrain telling Mr. Swartwout, it was impossible that I could ever dishonor my commission; and I believe I duped him by my admiration of the Plan, and by observing "that although I could not join in the expedition the "engagements which the Spaniards had prepared for me "in my front, might prevent my opposing it"—Yet I did the moment I had disciphered the letter, put it into the hands of Colo. Cushing my adjutant and Inspector, making the declaration that I should oppose the lawless enterprize with my utmost force — Mr. Swartwout informed me he was under engagements to meet Colo. Burr

at Nashville the 20th of November and requested of me to write him, which I declined and on his leaving Natchitoches about the 18th of October, I immediately employed Lieut. T. A. Smith to convey the information in substance to the President, without the committment of names, for from the extraordinary nature of the project and the more extraordinary appeal to me, I could but doubt its reality notwithstanding the testimony before me, and I did not attach solid belief to Mr. Swartwout's reports respecting their intentions on this Territory & City, until I received confirmatory advice from St. Louis. — After my return from the Sabine I crossed the Country to Natchez and on my descent of the Mississippi from that place I found Swartwout and Peter V. Ogden at Fort Adams, with the latter I held no communication, but was informed by Swartwout that he Ogden had returned so far from New Orleans, on his route to Tennessee, but had been so much alarmed by certain reports in circulation that he was afraid to proceed I inquired whether he bore letters with him from New Orleans, and was informed by Swartwout that he did not, But that a Mr. Spence had been sent from New Orleans through the Country to Nashville with letters for Colonel Burr—

I reached this City the 25th ultimo and on the next morning James Alexander Esqr. visited me— He inquired of me aside whether I had seen Doctor Bollman, & on my answering in the negative he asked me whether I would suffer him to conduct Bollman to me which I refused.— He appeared desirous to communicate something but I felt no inclination to inculpate this young man and he left me—A few days after he paid me a second visit & seemed desirous to communicate, which I avoided, until he had risen to take leave, I then raised my finger and observed, "take care, you are playing a dangerous game" He answered "it will succeed" I again observed "take care"— and he replied with a

Strong affirmation— "Burr will be here by the beginning "of next month"—In addition to these corroborating circumstances against Alexander—I beg leave to refer to the accompanying Documents—A. & B.

From all which I feel no hesitation in declaring under the solemn obligation of an oath, that I do believe the said Swartwout, Alexander & Ogden, have been parties to, and have being concerned in the insurrection formed or forming in the States & Territories on the Ohio and Mississippi Rivers, against the Laws and constitution of the United States—

Gabriel Kinsany

Sworn to & subscribed)
before me this 26th day)
of December A. D. 1806.)
Morge Pollock)
Justice of peace for the)
County of Orleans.)

A. & B. deposition of Capt. Hook & Danl Davidson & a report of L. Koon transmited by Enrique Mead.

To James Madison

Private

New Orleans,
Feby. 17th 1808.—

Dear Sir!

General Moreau & Governor Folch continue in this City, and have contracted a great intimacy;— perhaps their objects may be perfectly innocent, but I am not *without my suspicions.*— I know not when Moreau will depart; at one time, he proposed taking a passage in the first vessel for Charleston; at another, he designed passing by Land, the nearest and best route to Georgia and from thence thro' the Southern & middle States to New York, where he expected to meet his Lady early in the

spring;-- But now it is understood, that he proposes to pass some time at Pensacola with his friend Folch, previous to his return to the Northward, and that the period of his departure from hence is uncertain.— From a conversation which I had with Genl. Moreau he seemed to have been well apprised of an approaching Revolution in Spain; Folch also anticipated the event, & expressed to me his — determination to acknowledge no sovereign, not descended from the reigning family;— My impression therefore now is, that the probable event of the dethroneemnt of the King of Spain, has brought Moreau to this Territory, and that he (with Folch) contemplates assisting in establishing a separate Government in Mexico.—

I have the honor to be,
with great Esteem & respect
yo: mo: obt. servt.—
William C. C. Claiborne

The Honble.
Jam: Madison
Secy. of State—

——— „ ——— „ ———

To James Madison

New Orleans,
Feby. 17th 1808.—

Sir!

Inclosed is a translation of a letter addressed to me by Governor Folch together with a Copy of the answer which (after consulting with the Collector of the District of Orleans) I returned thereto.— If an uninterrupted passage for Spanish Vessels to and from Baton Rouge was permitted; or if the provisions of the Embargo Act, as regards our intercourse with the Inhabitants of the Florida's be not inforced, Baton Rouge, Mobile & Pensacola will become places of deposit for the Western pro-

duce, and from thence, *it* will be exported to Havanna' & other Spanish Ports.—

The desire expressed by Governor Folch to remove certain Military stores from Baton Rouge is probably Sincere; But if permission had been granted him to purchase (for that purpose) two or more Vessels in New Orleans, I suspect the occasion would have been embraced to have conveyed also to Pensacola a supply of Flower & other provisions.

I trust my answer will be approved;— It is couched in general terms and my conduct in relation to our intercourse with our Spanish neighbours will (under the circumstances of the case) be directed by a prudent discretion, until the instructions of the President shall be made known to me.—

An English Sloop of War is at anchor near the Balize, with a design (as is supposed) to intercept several vessels expected daily from Vera-Cruse with rich cargo's—

I am Sir,
with great respect,
yo: mo: hble servt—
William C. C. Claiborne

The Honorable
the Secy of State

——— „ ——— „ ———

From Gov. Folch

(Copy)

translation,

Sir,

The Embargo decreed by the Congress of the U. States, is a political measure, which in the present circumstances does much honor to the respectable body which has dictated it;— but as there are no general Rules, without those exceptions which are indispensible, the provision by which all exportation to foreign ports is prohibited, ought, I apprehend, to admit of some modi-

fication:— for Example the Provinces of Louisiana & West florida being so situated, that the Inhabitants of them can almost converse with one another from their respective dwelling, it results therefrom, that they cannot refuse (living in good understanding) to give one another that assistance,— which must be reciprocal between so near neighbours.—It therefore appearing to me, from the powerful reason which I have just now mentioned, that the said provision cannot regard us, I beg your Excellency to tell me your own opinion on the subject.

Independently of the answer which I expect from your Excy on the above question, to wit: whether the Inhabitants of Florida must be treated as all other foreigners? notwithstanding the above mentioned reasons. I pray your Excellency to give me an answer to the following queries:

1stly Shall I be prevented from buying in this port two or more Vessels, for the object of carrying off the Artillery & amunition, which have been deposited in Baton Rouge. Since the cession of Louisiana, in consequence of the evacuation of the upper posts of the Mississippi?—

The anxiety which has been caused in this Country by the project of Col: Burr, made the exportation of the said Artillery necessary, and to that your Excellency gave his assent, for the motives which I expressed in my official letter of the 21st Jany. 1807.— It is now as urgent as ever to carry off the said Artillery, in as much as I am informed by my Captain General, that an Expedition of 20,000 men is fitting out in the ports of Great Britain against our possessions in America; in consequence of which, he recommends me to prepare every means of defence, which I can dispose of, to face the enemy, if their attack should be directed against the province under my command.— This information, I com-

municate to your Excellency confidentially on the same day that I received it—

2dly. Shall it be permitted to our armed Vessels, which are cruising in the lakes and between the Islands, to come here for their provisions & other necessaries, in order to continue their cruise as they have hitherto done? this being a case of mere hospitality, which has nothing to do with exportation, I hope it will meet with no difficulty;—But as I have just now received information from the officers Commanding the said Vessels that they are in great want of supplies I am very anxious to receive your Excellency's prompt answer on this point.—

3dly. In the supposition that your Excellency should consider the ports of Florida in the same light as all other foreign harbours, and not feel authorised to grant the exception which their situation seems to require, it shall become necessary for me to make use of the navigation of the Mississippi to export from the District at Baton Rouge Such produce as shall be wanted in Pensacola & Mobile; in which case I hope your Excellency will give his orders at the Fort of Plaquemine, so that, our Vessels whether of war or of commerce my meet with no obstacle in their way.—

May God grant your Excellency a long life—

N. O 11 Feby 08—

His Excy Govn Claiborne—

Signed V. Folch.

To Gov. Folch

(Copy)

New Orleans,
Feby. 16th 1808.—

Sir,

Your letter of the 11th Instant, has— received all the respectful consideration to which it was intitled, and the result has been, that the several explanations & conces-

sions which you solicit, will be referred for the decision of the President of the U. S.;—In the mean time the officers of this Government do not feel authorised to relax the provisions of the Law Directing an Embargo, as may relate to our intercourse with any foreign Nation, nor to permit an American Vessel which may be purchased in *this port* by foreigners subsequent to the Embargo to depart *therefrom.*—

Such *armed Vessels* of his Catholic Majesty, as may enter the waters within the District of Orleans, will not be inhibited from procuring all necessary supplies; but *they* and all others navigating the Mississippi, will be subject to such regulations as circumstances may render advisable.—

I Avail myself of this occasion to assure your Excellency of my Esteem & Respect.—

Signed William C. C. Claiborne

His Excy. ——— „ ——— „ ———

Governor Folch—

To James Madison

New Orleans,
Feby. 23rd 1808.—

Sir,

Being requested by Governor Folch to forward the inclosed packet, I have taken the liberty to send it under Cover to the Department of State, & must beg the favor of you, to cause it to be placed in the Mail at Washington

On the 17th Instant, I transmitted to you Copies of the Letters which have passed between Governor Folch and myself on the Subject of the Embargo.—

I am Sir,
with great respect,
your mo: obt. Servt.
William C. C. Claiborne

The Honble.
The Secy of State.

——— „ ——— „ ———

To James Madison

New Orleans,
March 14th 1808—

Sir,

The difficulty with respect to the negro's, who have sought and found an Asylum in the Province of Techus is not adjusted.— A translation of Governor Salcedo's last letter upon the subject, together with a copy of the answer, which I have returned, are herein enclosed, marked A & B.—I also transmit you, the number, names, and valuation of the several fugitive Slaves, as stated in writing by their respective owners;—Perhaps to my last communication, Governor Salcedo may return a Satisfactory response;— but I am inclined to think, that the wrong will not be remedied, without the interference of the General Government.—

It is reported, that the Spaniards propose to recross the Sabine and to resume their former position on the Arroya Honda; but on this subject I have no certain information;— I however, think it desirable, that the regular Troops in this quarter, should be considerably augmented since in the event of difficulty with any foreign Power, I am persuaded that Burr and his associates (who for the most part now render—vous render—vous in this and the Mississippi Territory would become open enemies—

The Legislature of the Territory is still in session; they have done little and are not likely to do much more; New Orleans, the seat of faction and Intrigue, is illy calculated for the residence of the Legislative Body; a Resolution has passed the House of Representatives, to remove the seat of Government to a little Village on the Mississippi, about 100 miles above the City, but I fear, the measure will not be approved by the Council.—

The case of Pedesclaux has been determined in favour of the Executive, and the Records delivered to

the person whom I appointed the keeper of Mortgages; on the question as to the Clerk of the Superior Court, the Court decided, Judge Lewis adhering to his former decision and Judge Mathews delivering an opinion that the right of appointment was under the ordinance vested in the Governor;— Smith therefore will retain his office, unless the third Judge when appointed shall accord with Judge Mathews

I have the honor to be,
Sir,
very respectfully,
yo: mo: obt. Servt.
William C. C. Claiborne
——— „ ——— „ ———

The Honble.
the Secy of State—

To Gov. Salcedo

(Copy) New Orleans,
March 9th 1808—

Sir,

I am honored with your Excellency's letter under date of the 2nd of January in reply to mine of the 21st of November last.—

The proposition made by your Excellency to restore the fugitive Slaves, upon condition "that the Governor of the Territory of Orleans, should conform to such Resolution as might be hereafter rendered by the King of Spain upon this subject," is not perhaps fully understood; but if it is intended, that the Governor of this Territory, should under any circumstances agree to redeliver slaves restored to their masters, the proposition is wholly unadmissible, such power belonging not to the office, which I at present have the honor to fill.—Candor then, and a Regard to Justice compel me to solicit the unconditional delivery of the slaves in question, as the only means of remedying the existing evil.—The Laws of Nations impose no obstacle; on the contrary they en-

join between neighbouring & friendly States, an interchange of those acts which are calculated to maintain a good understanding.—

The conduct of the Marquis of Casa Calvo on a former similar occasion which was approved by his Catholic Majesty, furnishes a precedent, which if pursued by your Excellency, would doubtless be agreeable to your Sovereign.—

Between the Citizens of the United States and the subjects of Spain in the Florida's no difficulty has arisen with respect to fugitive slaves, since all such, are promptly delivered to the order of their Masters;—Two neighbouring Governments desiring to be friendly, *must not be wanting in a return of good offices* and I ask *nothing more of your Excellency, that what I am willing to do myself under like circumstances*—

I offer to your Excellency, my best wishes for your individual happiness, and pray you to be assured of my high and respectful consideration—

(Signed) William C. C. Claiborne

His Excellency ——— „ ——— „ ———
Governor Salcedo.

I James Bludworth Planter of the parish of natitoches and Teritory of Orleans do Certify that on or about the 10th of May 1806 a Negro man by the name of Jerry (Shoe and boot maker by trade) deserted my Service and has taken refuge in Nachidoches in the province of Taut a province of his most Catholick Majesty, and I have repeatedly demanded the said negro of the Commandant of Nagadoches but he has refused to give him up And I further Certify that the Said negro cost me eleven Hundred dollars which sum I consider myself intitled to (in case the negro should not be restored to

me) with the addition of thirty dollars a month which some he was absolutely hired for before he ranaway; so that the whole amount which I consider my self intitled to up to this date is one thousand seven hundred and fifteen dollars in witness where of I have hereunto set my hand and seal this 25th Febuary 1808

James Bludworth &c

From Gov. Salcedo

His Excellency
Governor Claiborne
Sir,

Your Excellency's letter of the 21st Fbr. last refers to what you have written to lieut. Col. Don Simon de Herrera on the 26th of August 1806 to request the delivery of the negro slaves belonging to the Citizens of the United States who agreeable to the law of Nations have taken refuge within these Dominions of the King my Master, and is accompanied with the original of the letter which Brigadier Marquis de Casa calvo wrote to you and the copy of the Royal order which he cites, by which his Majesty approves of the answer which said Brigadier made to your Excellency to calm your complaints against the proceedings of the Commander of Nacogdoches expecting the said slaves, from which your Excellency concludes that the protection which said slaves find in the provinces under my command, do not correspond with the harmony and Amity which exist between the two Nations.

Besides the answer which Lieut. Col. Herrera made by himself to your Excellency's letter of the 26th of August 1806, I wrote to your Excellency on the 18th September last, in full answer to all the points which your Excellency had treated and I mentioned with respect to said negroes, all the reasons which in fact and

in law, justified my conduct, adding that in order to give to your Excellency a sufficient proof of the fairness of my intentions, I had no objection to give the necessary orders, as I have done, to deliver up all the negroes who will present themselves in these provinces, on condition that your Excellency will consent to agree to any resolution which might be rendered by the King, in consequence of my representation on this subject, and though your Excellency has not answered untill this date the said proposal, I have maintained invariably in the Posts of the Frontier of the Province of Tejas, the order mentioned in my last letter and repeated it afterwards on the 9th February 1807, in order to avoid all doubts or motives of complaints on that subject, as it results from the copy which I include to your Excellency and from which Depends entirely its full Execution.

The Royal order Communicated to the Marquis of Casa calvo has never been transmitted to me officially and although it does not derogate to, repeal nor amend in any manner the Royal ordinance granted in favor of freedom and grounded on the law of Nations itself, it originated undoubtedly from the exagerated rumours of a General Conspiration of the Negroes of your Province which your Excellency knows to have existed only in the imagination of the owners of slaves, I also think that your Excellency must likewise be apprised that the case which you mention concerning the conduct of the military commandant of Nacogdoches, was approved by the Citizens of the United States themselves and that the said commandant was innocent of the caluminory charge of which the said Marquis was informed and yourself through him.

I have thus answered your Excellency's official letter of the 21st November last, reiterating to your Excellency my sincere wishes for the preservation of the harmony and Friendship which exist between our respective

nations on which subject your Excellency's experience of our sincerity can leave no doubt.

I pray your Excellency to accept the assurances of my consideration and respect and may God grant you many years.

Signed Nemesis Salcedo.

Chikuagua January 2d, 1808.

Order of Gov. Salcedo

To Don Antonio
Cowers.

My order of the 4th December last in which I recommended you a strict attention in the admission of the Inhabitants of Louisiana who wish to settle in this Province and Directed you to expel all Foreigners who have introduced themselves in it without the necessary qualifications, does not include nor ought to include the negro slaves who present themselves in order to obtain their freedom because with respect to the people of that description, there exist several orders which are communicated to you; they therefore must be delivered to their masters on their entering a recognizance that the Governor of Louisiana will conform himself with the contents of the letter which I wrote to him on the 18th September last and a copy of which I directed to you with an order of the same date, that he will agree to any resolutions which his Majesty may take in consequence of my representation about doubts which this affair offered from its origin: and therefore you may inform of this the Commander of the detachment of Trinity in answer to his letter in which he treats of that point and which you have included in your numbered 394 of the 5th January last, Directing him and all the commanders of the posts of this frontier to Give Account to you so that this order may be executed on all the negro slaves who will present

themselves, Keeping them in sight untill further order and making them work for their subsistence.

May God preserve you many years.

(Signed) Nemesis Salcedo.

Chihuagua 2d. January 1808.

To James Madison

(Private)

New Orleans,
March 17th 1808.

Dr. Sir,

I have heard nothing further from Nachitoches; the Report of the advance of Spanish Troops towards the Sabine is not confirmed; It however has acquired credence.—

Blannerhasset has been for several weeks at Natches, & receives (it is said) much polite attention.— I was yesterday informed by the Collector of this Port (Mr. Brown) that Lewis Kerr proposes to visit England, and that he had solicited passports of the English Minister; Kerr was a conspicuous Member of the Mexican association, and possesses great talents & address; I know not the source of Mr. Brown's information— But he spoke with certainty.—

It is rumored that Burr & Dayton and other of their friends will be in New-Orleans in the month of April or May; proposals have been issued here, for publishing a Weekly paper to be called "the Majic Lantern": *It* is to be conducted by a Society of "Choice Spirits," among whom are numbered Bollman, Workman, Kerr, Alexander, Daversac' & several others alike distinguished for friendly dispositions towards the "would be Emperor."—

The object of this association is (probably) to write down every friend of the Government in this Territory;

but their Malice will, for the most part be directed against myself.—

I am Dr. Sir,
with great Esteem & Respect,
yo: hble servt.—
William C. C. Claiborne

The Honble
Jam: Madison,
Secy. of State—

To James Madison

New Orleans,
April 3rd 1808—

Sir,

On the 31st Ultimo, the Legislature of the Territory, closed their sessions; a copy of the acts passed, will be transmitted you, as soon they are printed.

You will find by a message from me to the Legislature (printed in the enclosed paper) the reasons which induced my approbation of "a Digest of the Civil Laws now in force in this Territory,"— A work of the kind was indispensible to the due administration of Justice—

I am Sir,
with great respect
your mo: obt. Servt.
William C. C. Claiborne

The Honble
the Secy of State— ——— „ ——— „ ———

To James Madison

New-Orleans,
April 5th 1808.

Sir,

The "Civil Code" alluded to in my last letter, is nothing more, than a "Digest of the Civil Laws now in force in this Territory."— This work will be of infinite service to the Magistrate and the Citizen;— Heretofore a knowledge of the Laws, by which we were governed, was

extremely confined. The Lawyers who avowed themselves to be civilians, told the Judges what the Law was, and the Citizens in the most common transactions of life, needed the aid of Council; But this state of insecurity and uncertainty will for the future be in a great measure removed.—

I see much to admire in the Civil Law, but there are some principles, which ought to yield to the common Law Doctrine;— Indeed it has with me been a favorite policy to assimilate as much as possible the Laws & usages of this Territory, to those of the states generally; —but the work of innovation, cannot be pursued hastily, nor could it be prosecuted to advantage or with safety until the existing Laws were fully presented to our views.—

I have no late Intelligence from Washington— The Fort Stoddard Mail often fails and the earliest information is generally conveyed hither by water.— I have thought, that if two or three Pilot Boat Schooners were employed in the conveyance of Letters between New-Orleans and the Atlantic Ports, that intelligence could pass and repass with great expedition;— A Pilot Boat Schooner for instance with a tolerable wind might perform the voyage from Balize to Charleston in seven or eight days, and to Norfolk in twelve or thirteen.—

Parties for and against Mr. Clark in this City are becoming violent— A news-paper war is raging —His Disposition against General W. has given rise to much severe animadversion on Mr. Clark's general character and conduct.—

I have the honor to be
Sir,
with great respect
yo: mo: hble servt.
William C. C. Claiborne

The Secretary of State.

——— „ ——— „ ———

To James Madison

New-Orleans,
April 21st 1808.

Sir

In the month of January 1807, I understand that a Grand Jury summoned by order of the Superior Court of this Territory, had made certain presentments against James Workman and Lewis Kerr, charging them with designs & acts hostile to the Laws and Government of the U. States.— I immediately made application by letter to the Judges, for Copies of the Presentments, but they were refused me;— I lately renewed my application to Judge Mathews, and by his orders, I was furnished with a Copy, which is herewith transmitted. Messrs. Kerr and Workman are stil here, and continue to practice Law in the several superior and inferior Courts of the Territory.—

I have the honor to be,
Sir, very respectfully
yo: hble servt

The Honorable
The Secy of State.

William C. C. Claiborne
——— „ ——— „ ———

At a Superior Court holden at the city of New Orleans in the County of Orleans within and for the Territory of Orleans on the twelfth day of January in the year of our Lord one thousand eight hundred and seven.

The Grand Jurors within and for the said Territory of Orleans charges among other things to inquire of any person had within this Territory began or set on foot or provided or prepared the means for any military expedition or enterprise to be carried on from thence against the Territory or Dominions of any foreign province or state with whom the United States are at peace.

Present that they are satisfied from the evidence ex-

hibited to them that James Workman of the city of New Orleans aforesaid and Louis Kerr of the same place together with other associates to the Jurors unknown did on or about twelve months past confiderate together for the purpose of making a military expedition against the Dominions of the king of Spain with which power the United States was then at peace, that in order to carry into effect this unlawful expedition the said Workman and Kerr did entice persuade and use their infiuence to corrupt divers citizens of this Territory together with several officers of the army of the United States whom they attempted to seduce and alienate from their duty, to engage in this unlawful enterprise. That to carry this expedition into effect they did propose counsel and advise to sieze on the Banks in this city and the vessels lying in its harbour, to invade the port of Baton Rouge to take possession of Mobile and from thence by the aid of a maritime force which they declared would co-operate with them at the latter place to proceed to the invasion of the Spanish provinces of Mexico.

That in order more completely to execute their nefarious designs they declared and gave out under oaths of secrecy that men of the most influential characters were engaged with them in this unlawful expedition as well in this said Territory as in different parts of the United States.

The Jurors aforesaid do therefore present that an unlawful military expedition as above mentioned has been set on foot in this Territory by the above named James Workman and Lewis Kerr and others unknown all which the Jurors aforesaid respectfully submit.

A true presentment

Evan Jones foreman

I hereby certify that the foregoing is a true copy of the original presentment on file in my office.

M. Smith Clk

At a superior Court holden at the city of New Orleans in the county of Orleans within and for the Territory of Orleans on the twelfth day of January in the year of our Lord one thousand eight hundred and seven.

The Grand Jurors within and for the said Territory on their oath present that James Workman late of the city of New Orleans in the county and Territory aforesaid Esquire, being a wicked and seditious man and unmindful of the duty of his allegiance and contriving and intruding the peace and common tranquility of this Territory to disquiet molest and disturb: and the Government by Laws established therein wholly to submit and overthrow and to excite the good citizens of this said Territory to insurrection rebellion and revolt as well against the government by Laws established therein as against the Laws and government of the United States of America, heretofore, to wit, on the first day of March in the year of our Lord one thousand eight hundred and six, and on divers other days and times, as well before as after, at the city aforesaid, in the county aforesaid wickedly and seditously did counsel advise intice and persuade certain divers good citizens of this said Territory to aid assist and promote him the said James Workman and divers others to the long unknown (whom the said James Workman declared to be his associates in the same wicked seditious and traiterous project) wholly to seperate this said Territory from the Govern of the united states, to declare the same independant thereof and wholly to submit the Government of this said Territory to transport out of this said Territory the persons thus lawfully exercising the powers of Governor thereof, and to establish by violence and force of arms another Government therein wholly independent of the government of the United States of America, against

the peace of this Territory and the Law in such case made and provided.

A true Bill

Evan Jones foreman

Judgment that the Indictment be granted. June 4th. 1807.

I hereby certify that the foregoing is a true copy of the Original Indictment and the proceedings thereon on file in my office. Wm. Smith, Clk.

To James Madison

New-Orleans, May 13th 1808.

Sir,

Enclosed is a letter from Mr. Moreau Lislet declining the Commission of Judge of the Superior Court of this Territory.—I do not know a Lawyer here, of talents, and Integrity who would relinquish his practice for a seat on the Superior Court Bench, & I think the President will be compel'ed to select a Gentleman from some one of the States.—

Every thing in this quarter is tranquil.—

I am Sir,
very respectfully,
your hble Servt.
William C. C. Claiborne

The Honble ——— „ ——— „ ———
the Secy of State.

To James Madison

Sir,

New-Orleans, May 13th 1808.

The Bill concerning the Batture as reported by a Committee of the House of Representatives, is very pleasing to the Inhabitants of this City, & the provision which confirms to the proprietors of Land fronting on

the River the Alluvion, will be received with pleasure thro'out the Territory.— It was attempted by the individuals claiming the Batture, to interest the people in their favor, by a suggestion, that if the right of the U. States to the Batture was maintained, the front Proprietors on the Mississippi (generally) would loose all the Alluvion which had been formed, subsequent to the original Grants;— the cases, were in truth, greatly dissimilar; but the suggestion gave rise to apprehensions, which the act of Congress will promptly and satisfactorily remove.

There is another act of Justice on the part of Government, which the Inhabitants of this Territory anticipate —It is, that the proprietors of Lands on the Mississippi, should be secured in a right of pre-emption, to a certain quantity of Lands, lying in the rear of their present possessions.— As long since as the 23rd of August 1805, I deemed it my duty to lay this subject before you.—I then stated "that under the Government of Spain, it was cus- "tomary to grant from 6 to 20 acres in front and 40 in "depth. The Cypress swamps which approach near "the Lands now in cultivation, were seldom included in "the Grant; but from time immemorial, the timber has "been at the Disposition of the *inhabitant* who owned the "Lands in front, and *he* was considered by the Spanish "Government as possessing an equitable right to the Swamps."— The Cypress Timber is essential to the cultivation of the land in front; it is employed for enclosures, Buildings & various other domestic uses;— the swamps are for the most part unfit for cultivation, and can alone be really useful to the front *Proprietors*—I think they can claim a right of pre-emption, & *indeed if the Swamps were given them,* it would comport with that liberal & just policy, which cannot fail to attach the Louisianians to the Government of the U. States.

There was the other day, a report in circulation, that

our neighbors the Spaniards, entertained some designs hostile to New—Orleans.— The Report originated, from a conversation, which took place between a Person immediately from Baton Rouge & a free man of Colour.— The conversation was over heard by a Citizen, who (for that purpose) was concealed in an adjoining apartment; —I however after turning my attention to the subject, can perceive no just cause for apprehension, and occurrence is only here mentioned, lest it might reach the U. States, and be misrepresented.—If however, I had authority, I would immediately order to this vicinity, two or three Companies of the Troops now stationed at or near Fort Adams—The force here is very inconsiderable, two Companies only, & it seldom happens, that there are more than 60 or 70 Men fit for duty.

I have the honor to be
Sir,
very respectfully,
yo: hble Servt.
William C. C. Claiborne

The Honble
the Secy of State.

To James Madison

New Orleans,
May 27th 1808.

Sir

I have the honor to inclose you a letter from Governor Salcedo, in reply to my communication of the 9th day of March last (of which a Copy was transmitted you on the 14th of the same month) upon the subject of the fugitive Slaves, from which it seems that he does not feel himself at liberty to act without the instructions of the King his master.—

I am Sir,
with great respect,
yo: mo: hble Servt.
William C. C. Claiborne

The Honble
the Secy of State.

——— „ ——— „ ———

To James Madison

(Private)

New-Orleans June 8th 1808.

Dear Sir,

Your favor of the 18th of April has been received, and the Letter for Mr. Duplantier which you enclosed, has been delivered.

Mr. Duplantier has located and surveyed for General Fayette ten thousand acres of Land lying on the Mississippi in the vicinity of Point Coupee, but some *private claims* having lately been set up to a part of that Tract, Mr. D. has solicited of the Board of Commissioners an early decision *thereon.* If I am rightly informed as to the nature of these claims they *will be rejected,* and then there will be no obstacle, to granting to the General, the whole Tract, and which I am desirous should be secured, since from its quality and situation it will command (in a short time) a lucrative Sale; But Mr. Duplantier will write you on this subject, and from him you will receive more particular information.

I perused with much pleasure the Communication on British affairs which have been made by the President to Congress, because they so satisfactorily shew, that the course pursued by our Government, has been correct.

Every thing in this quarter is tranquil. Two or three British Factors, and some violent Federalists censure the Embargo, but the better informed, and worthy part of Society, appears highly to approve the measure.

I have the satisfaction to inform you, that Mrs. Claiborne a few weeks since, presented me with a promising Son, it will be my care to rear this little Louisianian in

the path of Republican virtue and I sincerely hope he may become a worthy and useful Member of Society.

I am Dear Sir,
with great respect
& sincere Esteem
Yo: hble servt
William C. C. Claiborne

The Honble)
Mr. Madison)
Secy of State)

——— „ ——— „ ———

P. S.

Since writing the above, I have seen Mr. Duplantier, & he promised to pay unremitted attention to the Business of Genl. Fayette, until it shall be completed. It is probable, (from Mr. D's statement) that the private claims for one thousand Acres of the Land, surveyed for the General, will be sustained.

To James Madison

New—Orleans,
June 18th 1808.

Sir,

A Vessel under English Colours arrived here some time since, and was reported to the Collector of the District, to have been a Spanish vessel bound from Vera—Cruz to Caddix, which was captured by an English frigate and ordered to Jamaica; But meeting with heavy gales and adverse winds (in which she had suffered considerably) was forced to enter the Mississippi.— One of the wardens of the Port of New—Orleans reported, that upon examining the prize vessel, he found her to be really in distress and unfit for sea; upon the authority of this report, the prize Master, requested permission, to place the Cargo on board of an English *Letter of Marque*

then in this Harbor and to proceed with *it* to sea; but a proceeding of that kind having been conceived opposed to the spirit of the Treaty between the U. States and France, it was not permitted, and the Prize Master was told by the Collector to make the necessary repairs to his vessel and to depart with all convenient dispatch. In the mean time, he was enjoined to make no sale of the Cargo, or any part thereof.— After a few days delay, the Prize vessel took her departure, accompanied by the *Letter of Marque;* but was pursued and seized by the Marshal a few miles below the City, under a *process* issuing from the District Court of which a copy is herewith forwarded.—The seizure induced the Prize Master to address to me a very insolent letter and to abandon (as he says) his prize.— The District Judge has since decreed that the Vessel and Cargo be restored to the Captors;— But the Prize Master having departed, the Spanish Captain and Crew have taken possession of the Vessel and after making the usual entry's at the Custom House, the Cargo has been landed as Spanish property.—This latter proceeding is said to be the result of an arrangement between a Mr. Shepperd of this City, who was named by the Prize Master his Agent, & the Spaniards. As these events may possibly be made a cause of complaint against this Government I thought it my duty to advise you of the particulars. When the Prize Vessel arrived at New—Orleans, the Collector advised with me as to the course proper to be pursued; but subsequent to the seizure, I have had no concern in this affair.

The letter from the Prize Master which I have mentioned is also inclosed; it was prepared by a Lawyer of this City & will serve as a proof of the small share of esteem and respect which some men feel for our Government & Country who are permitted to partake of all their

advantages.— It is proper to add, that the Lawyer to whom I allude, is by Birth an English subject.—

I do not know how far the sale of the Cargo of the captured Vessel may be considered as improper; it has been contended that the Treaty with France did not embrace this case, and that the General Law of Nations, opposed no obstacle to the proceeding;— It may be, that this view of the subject is correct;— But the Precedent is certainly well calculated to make New—Orleans a Port for the sale of all Spanish Vessels captured in or near the Gulph of Mexico.— The captors have only to enter the Mississippi, and for a *valuable consideration* to make an abandonment to the original owners;— *A consideration* not equal to the sum, which the cargo would command at this market, but yet greater than would be met with at any British Island, and thus both the parties will be benefited by an exchange.

I am Sir,
with great respect
yo: mo: obt Servt
William C. C. Claiborne

The Honble
the Secy of State.

To James Madison

New-Orleans 21st June 1808.

Sir,

From the County of Opellousas, several Negro's have lately escaped to the Spanish Dominions, and several others who had designed to escape have been arrested. These events have excited much uneasiness among the Farmers of the Territory, and they await with impatience the interference of the General Government—

There has arisen another cause for anxiety among the Holders of Slaves; you are doubtless apprised, that

in the early settlement of Louisiana, Indians taken in war were permitted to be holden in slavery, and it is reported to me, that in this Territory, there are now several hundred persons held as slaves, who are descended of Indian families.— Under the Spanish Government, and during the administration of the Baron Carondelet, the Auditor of the Province, had encouraged a claim set up by some of these unfortunate People to freedom; But it is understood that in consequence of the Baron's interference the proceedings were stayed, & the question remained undecided.— A Lawyer, a few months since brought a suit in the Parish Court of Opellousas against a Citizen who held in Slavery some Indian descendants: —The Assembly then in session took up the subject, and passed a Bill declaring "that every Indian who was a "slave before the taking possession of Louisiana by the "Spanish Government, and all other individuals of both "sexes born from said Indians are and shall remain "slaves."— This Bill was rejected by the Executive, upon the ground that it was *worse* than useless. If by the former and existing Laws of the Territory these people were legally held in Slavery, the proposed measure was unnecessary; But if otherwise, no act of this Government could reduce them to bondage and an attempt to do so would be a reproach to the Legislature.— The suit above alluded to have been determined in favour of the Plaintiffs, but the merits of the defendants claim were not urged: These being reserved for discussion before the Superior Court, to which I learn, an appeal is to be made.—The Holders of these persons state, that many years ago, there were frequent wars among the several Nations of Indians in the vicinity of Louisiana, and that they sold their Prisoners, as slaves (with the assent of the Colonial Government to the French Inhabitants;— It is also stated that the Colonial Government, made slaves of certain Indians found in arms

against the french;— but the claimants of Indian descendants for the most part, trace their Title (I am told) to purchases of the former description—

I am Sir,
with great respect,
yo: mo: obt Servt
William C. C. Claiborne

The Honble ——— „ ——— „ ———
the Secy of State.

P. S. To rouse the Militia of this Territory from a state of Apathy into which they have fallen, I have addressed to the several Militia officers a letter of which the inclosed is a Copy.—

W. C. C. C.

New Orleans 1st July 08

Sir

I have the honor to transmit to you authentic copies of the Executive arts of the Governor of this Territory from the post of July 08 to the 30th of June in the same year

The office of Atty General is held by me temporarily — it is offered to a gentleman at present in the Mississippi Territory whose answer has not been received

with great respect
yo. ob. St
Thos B Robertson

The Honble
The Secy of State

To James Madison

New-Orleans, July 1st 1808.

Sir,

Desirous to avail myself of the President's permission to visit the United States, I contemplate leaving this place, in the course of next month, unless in the

mean time events may arise, which would render my presence in the Territory, essential to the public interest.

In the course of the present year, I have had the honor to advise the President in two private Letters (and on one occasion yourself) of my intended visit to the Northward, and no objection having been expressed, I have considered myself, in conformity to the tenor of your letter of the 28th, July 1806, as having permission to be absent from the Territory, "provided the state and "prospect of public affairs should urge no objection "against it" of which I was the Judge, and provided I did not leave the Territory "until a Secretary had arrived." At present everything is tranquil in this quarter. The Assembly will not be in session until Jany next; the season of the year has arrived, when the Courts of Justice transact little business, and the Commerce of the Territory would (without the Embargo) be in a state of stagnation.— As relates to our domestic affairs, my presence can for a short time be well dispensed with;— As respects our foreign relations, if they should assume a more menacing aspect, you need only advise me thereof, and I will remain at (or if absent will hasten my return to) my post.— I propose proceeding by land and shall pass by the way of Natchez, Nashville, Knoxville and Abbengdon in Virginia;— I shall progress slowly on my Journey, and if after the receipt of this letter, my return to New-Orleans should be deemed desirable, I must entreat you to inform me of the same.— My private business would lead me no farther than Nashville;— I would indeed be happy to have it in my power to pass a few weeks in Virginia, and at the Seat of Government; But I would be more happy to be at my post, provided the Executive should suppose that my presence would be promotive of the public interest.

Mrs Claiborne will not accompany me; she will remain in the vicinity of New-Orleans— My absence will therefore from choice, be only temporary; in no event, would I wish to prolong it, beyond the month of January next

I have the honor to be
Sir,
with great respect
yo. mo. obt. Sevt.
William C. C. Claiborne.

The Honble ——— „ ——— „ ———
The Secy of State.

To James Madison

New-Orleans, July 11th 1808.

Sir,

My letter of the 1st Instant, will have apprised you of my design to set out on a journey to Washington in the course of next month, unless in the mean time, events should arise, which would render my presence in the Territory essential to the public Interest; or unless it be intimated to me, that my absence at this period would not be agreeable to the President.—

An Inhabitant of Opellousas was a few weeks since murdered by Indians;— five Warriors of the Alabama Tribe charged with the offence have been arrested, and are now probably on their Trial, before the Superior Court for the Opellousas District.— Having understood, that this affair, had greatly agitated the neighbouring Indians, and excited some alarm among the Citizens, I propose departing for Opellousas in two days, in order that (with the advantage of local information) I may take such measures as the public good may seem to require.— The visit to Opellousas, will necessarily delay my departure for the northward, until some time in Sep-

tember;— If therefore on the receipt of this letter, the aspect of our foreign affairs be such, as in the opinion of the Persident, to render my continuance at my post advisable, I earnestly entreat you to acquaint me thereof— A letter from you in reply would probably find me in *New Orleans,* but if not *there,* it would most assuredly meet me at Natchez.—

I have the honor to be,
Sir,
with great respect,
yo: mo: obt Servt.
William C. C. Claiborne

The Honble ——— „ ——— „ ———
The Secy of State.

To James Madison

(Duplicate)

New-Orleans, July 10th 1808.

Sir,

My letter of the 1st Instant, will have apprised you of my design to set out on a journey to Washington in the course of next month; unless in the mean time events should arise, which would render my presence in the Territory essential to the public Interest, or unless it be intimated to me, that my absence at this period would not be agreeable to the President. —

An Inhabitant of Opellousas was a few weeks since murdered by Indians;— five warriors of the Alabama Tribe charged with the offence have been arrested, & are now probably on their Trial, before the Superior Court for the Opellousas District.— Having understood, that this affair, had greatly agitated the neighbouring Indians, & excited some alarm among the Citizens, I propose departing for Opellousas in two days, in order that (with the advantages of local information) I may take such measures as the public good may seem to require.—

The visit to Opellousas, will necessarily delay my departure for the Northward, until sometime in September;— If therefore on the receipt of this letter, the aspect of our foreign affairs be such, as in the opinion of the President, to render my continuance at my Post advisable, I earnestly entreat you to acquaint me thereof.— A letter from you in reply would probably find me in *New Orleans;*— But if not *there,* it would most assuredly meet me at Natchez—

I have the honor to be,
Sir,
with great respect,
yo: mo: obt. Servt.
William C. C. Claiborne

The Honble ——— „ ——— „ ———
The Secy of State.

To Henry Dearborn

Territory of Orleans,
Opellousas Augt. 8th 1808.

Secy. at War.[1]

Two of the Alabama Indians sentenced to death have received my pardon. The remaining two were hanged on the 3rd Instant. Mercy was exercised on this occasion, in consequence of the intercession of a great proportion of the respectable Inhabitants of Opelousas, and an impression on my part that the execution of two of those unfortunate Men, would answer the purposes of an example, and that the pardoning of the others, would be received by the Indians generally (in this vicinity) as evidence of the disposition of this Government, to be merciful and just towards them. There was another consideration, which influenced my conduct; An Indian (belonging to a party of Chactaws who, have for some

[1] Beginning of Volume V.

years past, been settled in the County of Opelousas) was some time ago, killed by an American of the name of Thomas, and every effort to bring the offender to Justice having hitherto failed of success, I was apprehensive, lest the execution of the four Alabama's might awaken the vengeance of the Chactaws: The exercise of Mercy therefore suggested itself, as a probable means of preventing the effusion of innocent Blood. I have been thus particular because my conduct has given dissatisfaction to a few native Americans who have lately emigrated to Opelousas, and it is not improbable, but representations may be made with a view to my injury. Some of my fellow Citizens do, no doubt, upon the exercise of their best Judg'ment, disapprove the policy pursued; But there are others, who speak and act as their passions dictate; A few of this description, manifested so sanguinary a Spirit, as to have menaced the immediate massacre of such of the Indians as might be pardoned. But these threats, had no other effect, than to induce me to order a strong escort of Militia to attend the execution; to have the act of pardon communicated at the Gallow's, and to confide to the commanding officer the protection (for the day) of the pardoned Indians. It appeared however, that these threats were made without reflection, and that no one was as wickedly disposed, as to offer so great an outrage against humanity and the authority of the Government; One man only was found daring enough to endeavour to excite commotion, who after hearing the pardon read, indulged himself (as it was reported to me) in much abuse of the Executive Magistrate, and in the expression of the uncharitable wish, that the Governor was himself under the Gallows; But this turbulent Individual, who, doubtless, expected to be joined by others, was ordered by the officer commanding the Militia Escort into custody, and taken immediately to Joal, where he remained until towards the

close of the day, when at my request, he was released. You have enclosed copies of my addresses to the Alabama's and to the Chactaws, which will more fully explain the motives by which I have been actuated.

You will observe, that I have made to the family of the murdered Chactaw, presents of the value of Sixty dollars, to cover which, and Judge King's expences in visiting the Village, and also a small quantity of provisions, furnished Indians who visited Opelousas after the arrest and pending the confinement of the Alabama's, I shall, as soon as the accounts are rendered, draw Bills upon your Department, which I trust will be duly honored.

The Indians in this vicinity, manifest at present a very friendly disposition. I enclose you a memorandum of their numbers, received from a source entitled to credit.

Signed, William C. C. Claiborne.

To John C. Carr

County of Attakapas.
Augt. 8th 1808.

In consequence of my absence from New Orleans, your letters of the 12th and 14th July did not reach me until yesterday.

The expedition of Glass is, I am persuaded unauthorized by the Government, and from your Statement, I much fear, it is of a nature which the laws of the United States not only forbid, but punish with severity. An act of Congress by which it is probable, Glass's conduct is embraced, declares "That if any person shall within the Territory or Jurisdiction of the United States, begin or set on foot, or prepare, or provide the means of a military expedition or *Enterprize,* to be carried on from thence, against the Territory or Dominion of any for-

eign Prince, every such person so offending shall, upon convicition, be adjudged guilty of a high misdemeanour, and suffer fine and imprisonment at the discretion of the Court, in which the conviction may be had, so that such fine shall not exceed three thousand Dollars, nor the Term of imprisonment be more than three years''. The Court for the District of Orleans, has cognizance of offences committed within this Territory, against the law above alluded to; But your powers are competent to the arrest of persons against whom just cause of suspicion has arisen, that they are engaged in projects hostile to the laws, and to bind such persons to their good behaviour, and on failure of giving security to commit them. I need not add sir, the necessity of vigilance on your part, or the expression of the confidence, which I feel, that you power, will be exercised with promptitude and energy, whenever in your Judg'ment the occasion may demand. Your vigilance at this particular period, is the more necessary because we know, that the late treasonable projects of Burr, drew to the shores of the Mississippi many unprincipled adventurers, who probably may still be disposed to engage in Schemes hostile to the Interest and peace of society.

This Communication goes to you by express, and on return of the Messenger, who is directed to delay at Nachitoches, so long only, as may suit your convenience, I must request you to inform me such further particulars, as you may have acquired, relative to the progress of Glass and his associates, and their ultimate designs.

Signed, William C. C. Claiborne.

To John Sibley

Attakapas, Augt. 9th 1808.

Four of Alabama Indians were convicted of murder before the Superior Court for this District; two have been executed, and two were pardoned. The considera-

tions in part, which led to the exercise of Mercy, you will learn by the perusal of the enclosed Copy, of a Talk which I have addressed to the Chactaws of the Bayou Chico Village.

I have been advised of the departure from Natchitoches of a certain Anthony Glass and a number of persons associated with him, on an expedition up the Red River, and that he (Glass) pretended to be an Agent of the Government of the United States. Will you be pleased to communicate to me, such information as you may have acquired relative to the progress of this adventurer, and his ultimate designs. I am persuaded that Glass is not in the employ of Government, and I much fear, his conduct may tend to disturb that good understanding with our Spanish neighbours, which it is the policy of this Government to conserve.

When your leisure permits, I should be pleased to be advised generally, as to the State of your Agency; I wish this information, because, in the course of next month, I contemplate seting out on a visit to the City of Washington, and I should wish to be enabled to satisfy such Enquiries, as the administration may be disposed to make relative to Indian affairs.

Signed, William C. C. Claiborne.

To John C. Carr

Attakapas, Augt. 10th, 1808.

The delay of the departure of my messenger until this day, affords me an opportunity to enclose for your perusal a Copy of a letter from the Attorney General being a response to some Queries which I had addressed him in consequence of your communications to me of the 12th & 14th Ultimo.

Signed William C. C. Claiborne.

To Col. Thompson

Attakapas August 11th 1808.

The Bearer is going express to Nachitoches, and has directions to call on you, for such letters as you may wish to convey to that post.

I am not without my suspicions, that the Silver Mine Expedition, as it is termed, (which I mentioned to you the other Day) may be the commencement of a project of greater moment. At all events, the circumstances attending this Enterprize, are calculated to awaken suspicion, & require the Vigilance of the officers of Government. Among the many unprincipled adventurers, which Burrs treasonable designs drew to the shores of the Mississippi, there are no doubt some, who may yet be disposed to engage in Schemes hostile to the peace of Society. I thank you for your letter of yesterday, & for the information it contains,

Signed, William C. C. Claiborne.

To Col. Thompson

At Mr. Durald's, Augt. 17th 1808.

In consequence of information, I this morning received from New Orleans, it becomes my duty to repair thither without delay. But it being essential to the public service, that we should have a personal interview previous to my departure, I must ask the goodness of you, to visit Mr. Durald's,[1] & that you set out early in the morning, since I propose on Tomorrow evening to sleep at Attakapas Court House, and if possible at Fause Pointe.

Signed, William C. C. Claiborne.

[1] Claiborne's father-in-law.

To Thos. B. Robertson

Secy. of the Ty. Augt. 18th 1808.

Your letter of yesterday has been received; I regret the continuance of your Indisposition But the expected Crisis in the disease, will I trust, prove favorable, & that your confinement, will be of short duration.

It was not in my power to be more explicit, with respect to the Riots in New Orleans. The Mayor in his Communication to me upon the subject, does not enter into detail. He states under date of the 10th Inst. "that in the begining of last week a quarrel took place between some American & french, Spanish & Italian Sailors, upon which they fought and hurt each other considerably: The patrol however separated them with much difficulty. *The succeeding Nights,* they appeared on the Levee in battle array, & had a Skirmish which was very severe". The Mayor supposes that these Riots originated "in a tavern dispute" between these two classes of Men, yet it is apprehended "that the foreign sailors may be stimulated to this quarrel to cover some more dangerous conspiracy: The reason alledged are that Dalzimar had been in this Town, before his arrival at Baton Rouge & had taken away upwards of twenty thousand Dollars, which I believe to be true, and it is apprehended that not much time will elapse without an attempt being made by the Cidevant Conspirators"; & the Mayor also names a person, supposed to be in the pay of a foreign Government "who has in the City a complete Company of Men ready to obey his orders". In a private letter, from New Orleans, under date of the 11th Instant, my friend says "Since the 31st Ultimo, many disturbances have taken place, and at one time, the situation of the City was really alarming. It is difficult to say from whence these disturbances spring; there must be some

motive," which on your arrival you may be enabled to discover"— "I shall say nothing further, than to take the liberty to advise your speedy return to the City."

Whether there is indeed cause for alarm, I cannot tell; But it seems to me, I could not do less, than repair immediately to N. O. I am by nature as little enclined to be suspicious of the designs of others, as any man living. Hence it was, that the Mexican Society was organized in my vicinity; many of its Members, were almost daily in my society, and yet, I remained for a length of time without any knowledge or even a suspicion of the Intrigue. I hope I shall never become unnecessarily suspicious of my fellow man; But in the present aspect of affairs, foreign & Domestic I think it essential to the public Interest, that the officers of Government in this Territory, should exercise a great share of vigilance.

The only newspapers I received from the City are enclosed for your perusal; you will perceive, that our foreign difficulties are not likely to be adjusted, and that Burr is at Halifax, much noticed by the British Commander. You will learn also the acquital of General Wilkinson by the Court of Enquiry, & the President's approval.[1]

I continue extremely solicitous to visit the U. States. My private Interests would be much benefited thereby. But I cannot consent to leave my post, at a period of *real,* or even supposed *danger,* & therefore, I cannot form any conclusive determination as to my future movements, until after my arrival in the City.

Whether I go to Washington or not I will endeavour to serve our friend Becket.

Accept the best wishes of &c.

Signed, William C. C. Claiborne.

[1] Trial on charges brought by Daniel Clark.

To Judge King

(Confidential) August 18th 1808.

I hope my letter of yesterday reached you in safety. I do not know, that there is real cause for the suspicions to which I had allusion; My impressions are that these can not be grounds for serious apprehension. But in the present aspect of affairs foreign and domestic, I really think it essential to the public Interest, that the officers of Government in this Territory, should exercise a great share of Vigilance. Your powers are commensurate to the arrest, and binding to their good behaviour, all persons against whom, just cause of suspicion, may arise of their being engaged in projects hostile to the Laws of the U. States, and I need not add the confidence I feel, that these powers, will be exercised with promptitude and energy whenever the occasion may demand.

It seems, there has been Riots in New Orleans, between the American and foreign Sailors, which were with difficulty suppressed by the civil authority; and it is apprehended, that these Riots have been promoted "in order to cover a more dangerous conspiracy".

I shall expect very soon to learn from you, on the subject of Indian affairs. You will be pleased to consider this, as well as my letter of yesterday as private and confidential.

Signed, William C. C. Claiborne.

P. S. Old Colo: Leblanc of New Orleans, has requested me by letter, to state to you a claim, which he has against you. As I profess a friendship for the old Gentleman, I could not do less than to comply with his request, leaving it to yourself to determine, as to the justice of his demand. The Horse which you were good enough to lend me. Mr. Duralde has promised to have returned.

Accept my best Wishes.

Signed, William C. C. Claiborne.

Colo: Sparks, N. O. Augt. 26 1808.
or officer Commanding the U.S. Troops in the M. T.

I feel it my duty to solicit, that two additional Company's of regular Troops, may without delay, be ordered to this City: I am aware Sir, that an order from the Secy. at War, or your Commanding General, would be to you the most satisfactory authority. But when I add, that in my opinion, an immediate augmentation of the regular force at this Post might prove the means of preventing some serious commotion, I am persuaded you will feel no hesitation in complying with my request.

Signed, William C. C. Claiborne.

To Martin Duralde

(Private) N. O. Augt. 29th 1808.
Martin Duralde Esqr.[1]
Attakapas.

I am honored with the receipt of your letter of the 21st Ultimo and am under obligations to you, for having immediately forwarded by express, the communications from Nachitoches. The explanations of Doctor Sibley so far from being satisfactory, have convinced me, that he has exceeded his powers, and justify a suspicion, that he is not actuated by honest views: The whole subject however, shall be promptly submitted to the President, who will know how to estimate the services and the Acts of Mr. Sibley.

Previous to my arrival in this City, there had been several serious Riots, and the public mind, was in a State of much agitation and alarm; Everything however, is now tranquil, and I do not apprehend, that the disorders will be renewed. I cannot trace the late commotions to any hostile designes against the Government; they appear to have originated in a tavern dispute, be-

tween the American and foreign Sailors, and in which contest the many vagabonds and unprincipled Men who rendez-vous in this City, immediately took their Sides; I find however, that my presence here was desirable, and that it has already had a good effect.

The papers which I transmit, will present you, with the particulars of the expected and important Revolution in Spain. There is no doubt but the accounts are exaggerated; It cannot be possible, that Bonaparte should have acted so much like a Madman, at his interview with the Spanish Monarks; one thing however is certain that the French Emperor designs to dethrone the last of the Bourbon's, and that the people of Spain, and of her Colonies, seem determined to resist (with their lives) this ambitious and unprincipled Individual. What the issue may be, time will unfold; But a Bloody conflict will inevitably ensue, & humanity is left to deplore, the weakness of mankind, in permitting their ranks to be thin'ed in deciding, whether a Bonaparte, a Charles or a Ferdinand, shall be the Master & the Tyrant of all the Territories of Spain.

The affairs of the U. States remain in Statu quo, and the Embargo, will probably be continued; Late Letters from the President, make it impossible for me, at this time, to leave the Territory and indeed it appears probable, that my journey to the Northward must at least be postponed until the ensuing year. In the present unsettled and tempestuous state of Nations, I cannot reconcile it to myself to be absent from my post.

Duralde is in part excusable for not writing me by the Express, (Mr. Bryan) in as much as three days previous, to the Departure of Mr. Bryan) in as much as three days previous, to the Departure of Mr. Bryan, he had written me fully by a private conveyance but which proved unfortunate, for the dispatches thus forwarded have never reached me, & may possibly be lost.

If my Journey to the Northward, be (as I anticipate) necessarily postponed, I shall dispatch Duralde, for my dear Clarice, and my sweet little, William,[1] about the last of September.

Present me affectionately, to my Mother, and believe me to be &c.

Signed William C. C. Claiborne.

To Judge Dormeon

N. O. Augt. 30th 1808.

In consequence of the recommendation of Mr. Petrony by yourself and Mr. Poydras, I have appointed him Sheriff of the 3rd Superior Court District, and request you to deliver to Mr. Petrony his Commission which is inclosed. You will be pleased to take from Mr. Petrony the Bond with surety, which the Law requires from each sheriff, and transmit the same to my office. You will Judge of the sufficiency of the security. It is necessary, that the sureties should reside in the District, and be possessed of real Estate. You will also administer to Mr. Petrony an oath of office, and also an oath to support the Constitution of the U. States, and for so doing, you will consider this letter, as your authority.

Present my best wishes to Mr. Poydras. I will write him fully in a few Days.

Signed, William C. C. Claiborne.

Messrs. Blanque, Choppin & Mr. Fortier

(Private)

I have received your note of the 27th Instant, and thank you for this proof of your polite and friendly attention.

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[1] His wife and son.

It would be pleasing to me, that a Box in the Theatre, might be preserved for the use of myself and family. But whether, it be the *one* lately appropriated for that purpose or another, is left to the Direction to decide; I will however take the liberty to observe that the Box which I recently occupied, would be willingly exchanged for any other in the Theatre.

Signed, William C. C. Claiborne

N. O. Augt. 30th 08.

To Gov. Grand Pre

N. O. Augt. 31st 1808.

Baton Rouge.

I have receive your Excellency's letters of the 3rd and 24th of the present month, complaining of the arrest within the Territory committed to your Command, and the forcible removal therefrom of certain Individuals, who had deserted the service of the United States, & requiring the most prompt and ample satisfaction.

As the causes of complaint, did not come within my Department, it only remained for me, to transmit the communication of your Excellency, to the officers, whose more immediate duty it is, to restrain the armed force of the United States on this Station, from the Commission of improper acts. I however do not hesitate to give it as my opinion, that the proceeding alluded to, has been the act of a subordinate officer, nor do I doubt, but that the *affair* will be satisfactorily arranged, under the orders of the President of the U. States, to whom *it* has been submitted. In the mean time, measures have been taken to prevent a like occurrence, and your Excellency, will I am persuaded, see the propriety of refraining on your part from such acts as might tend still further to impair that *good understanding* between our two Gov-

ernments, *which* their mutual Interests united in conserving.

Although I am precluded from replying particularly to your Excellency's Communications, from the consideration "that the causes of complaint do not fall within my Department", I nevertheless must be permitted to express my surprise, that you should take so great exception to Commodore Porter's awaiting the orders of the Honorable the Secretary of the Navy, previous to his delivering on the requisition of your Excellency the Marine Deserter: It is not unusual for officers, on questions of importance, even where their powers are commensurate to a decision, to solicit the advice and instructions of their chief; nor, in the case before us, can a serious objection arise, on the ground of delay, since the intercourse between Washington and New Orleans is safe and expeditious.

The great discretionary powers with which, it has been the policy of Spain, to vest her Provincial Officers, (independent of the immense distance between Madrid and Baton Rouge and the uncertainty of conveyances) may have superseded the necessity of your Excellency's frequent Resort for advice to the King your Master; But in the U. States of America, a different policy is approved, & it becomes the duty of an Executive officer, in all cases, where neither the Law, or previous instructions, prescribe his line of conduct, to await the orders of his Government.

I cannot close this letter without expressing my sincere regret, that no arrangement should have been made between our respective Governments for the mutual delivery of fugitives from Justice; I must confess, Sir, that this Territory and particularly the City of New Orleans is *sorely afflicted* by the frequent resort hither, of persons, who have either deserted the service of Spain, or fled from that punishment, which awaited their crimes;

nor do I doubt, but the Territory entrusted to the Command of your Excellency experiences a like affliction, from its contiguity to the U. States: Indeed the many American deserters the bases of Men, who have sought an Asylum at Baton Rouge is a proof of the fact.

I avail myself of this occasion, to tender to your Excellency the assurances of my high and respectful consideration.

Signed, William C. C. Claiborne.

To James Madison

Secy. of State N. O. Augt. 31st 1808.

My last letter, which was dated at Opelousas informed you, of the reports which had reached me from Nachitoches, relative to an unauthorised expedition into the Spanish Country, under the direction of a certain Anthony Glass. You now have enclosed a Copy of my letters on the occasion (No. 1) to Judge Carr, and of his answer (No. 2). I also transmit you a copy of a letter to me (No. 3) from Doctor Sibley, by which it appears, that he has licensed Glass to commence a trade with the Panis Indians; How far Mr. Sibley's conduct has been proper, the President can best determine; I must confess however, that he seems to me to have gone far beyond his authority. The Law of the U. States regulating trade and Intercourse with Indian Tribes cannot operate among the Panis, who reside within the acknowledged Dominions of Spain, and I should Suppose, that the conduct of Mr. Sibley, will furnish on the part of the Spanish authorities just cause for complaint. I had heretofore understood, that it had been made the duty of Doctor Sibley to keep me advised of the State of his Agency; But if such be his duty, he has of late been unmindful thereof: Had he apprised me of Glass's expedition, altho'

perhaps it would not have been abandoned on my disapproving the same, the information would have saved me some trouble, & the United States the expense of express hire to and from Nachitoches.

I also transmit you copies of letters (No. 4 & 5) which I have received from Governor Grand Pre, complaining of the arrest within his jurisdiction, and the forcible removal therefrom of certain individuals, who had deserted the service of the U. States, & requiring the most prompt and ample satisfaction.

I was absent from New Orleans when the first letter of Governor Grand Pre reached the City, and the Mayor, (whom the Secretary being also absent, I had authorised to open my official dispatches, in order that they might be forwarded to me by express, if of importance) communicated the contents to Commodore Porter who disapproved the conduct of his subaltern, but thought proper to refer the case to the Secretary of the Navy. This course it seems, is not pleasing to Governor Grand Pre; I however have addressed him a letter (No. 6) which I hope will for the present put the subject at rest.

In consequence of information from the Mayor of New Orleans, that there had been frequent Riots between the American and foreign Sailors, and the expression of his (the Mayor's) apprehensions, that these Riots were promoted with a view to more serious commotions, my return from Opelousas was hastened, and I arrived in this City, on the evening of the 2th Instant, since which the most perfect good order has prevailed. We have however to lament the residence among us, and particularly in this City of a nember of abandoned Individuals who render the greatest Vigilance on the part of the police, essential to the general safety; among those individuals are many persons, who have deserted the Service of Spain, or fled from the punishment which awaited their crimes. I have reflected upon the expediency, of propos-

ing some arrangement with Governor Folch, for the mutual delivery of deserters, but I should previously wish to receive your opinion upon the subject. I have supposed, that the powers of the Territorial Legislature were commensurate to the enacting of a Law, which should vest in the Executive, authority to deliver up Spanish Deserters, and on the adoption of such a measure on our part, the Governor of West Florida might probably be disposed to reciprocate, and to refuse protection for the future to all American Deserters, as was once done in Louisiana under the orders of the late Governor Gayoso.

The Revolution in Spain has excited in this quarter, an uncommon share of solicitude: The Spaniards are greatly elated; the English and their Partisans view the event as most fortunate, and the French discover much chagrine. But the real Americans, and such of the ancient Louisianians whose feelings are american, seem only to wish, that the ultimate issue may prove favorable to the Interest of the United States. An opinion exists, that Bonaparte had not abandoned the hope of repossessing himself of Louisiana, and on that account, the rejection of his Government in Spanish America is cause of exultation; But it is feared on the other hand, that England by a monopoly of the Spanish trade may acquire a commercial ascendancy which will dispose her, to be still more unjust to the United States. There is however an evident disposition (from what I can learn) on the part of the mexicans, to establish an independent Government and in this event, I trust my Country may profit of this great and important Revolution.

The situation of the French thru'out the Island of Cuba, and at La Vera Crux, is represented to be vastly unpleasant; indeed their lives and properties are deemed insecure; some have already been obliged to fly from an enraged populace, and it is expected a general emigra-

tion will ensue: A few Frenchmen have arrived hence Havanna & Vera Crux, and it is thought that many will follow.[1]

I had intended to have set out early in the next month on a visit to the seat of Government; But at this momentous crisis, and when the flames of Revolution have approached so near us my absence might possibly prove injurious to the public interest; I have therefore thought it a duty for the present to remain at my post. The Storm however, will enable us to Judge, whether its immediate effects were likely to extend to this Territory.

Signed, William C. C. Claiborne.

To Thomas Jefferson

Private N. O. Sept. 1st 1808.

President U. S.

In consequence of my late visit to Opelousas, your letters of the 9th and 17th of July, did not reach me, until my return to this City, which was on the evening of the 25th Ultimo; This circumstance, will I hope, plead my Apology, for the delay, of my answer.

Your Ideas relative to the projected Canal between the Mississippi, and the Bayou St. John, have been privately and inofficially communicated to the President and Directors of the Navigation Company, and I find a sincere disposition on their part to meet the wishes of Government, and to accept a Loan on such Terms as you may prescribe. But for more particular information on this subject, I must refer you to the inclosed letter from Mr. Pitot.

The completion of the Canal, is in many points of view highly desirable, and as a means of defence (by enabling the Gun Boats to go, expeditiously to & fro' between the

[1] The beginning of the movement of the French living in Spanish possessions to Louisiana. The feeling of the Spaniards against them was very bitter.

Lakes and the River as occasion may require their services) is indeed of very great importance: of late, I had almost despaired of seeing the work ever accomplished, but my hopes begin to revive. The difficulty of the undertaking, and the heavy expences which have and are likely to arise, are sources of serious uneasiness to the parties concerned; But the President and Directors, who are not wanting in a spirit of laudable enterprise, appear to be still pleased with the project and seem determined to persevere. A loan from the U. States will be well timed; it will tend (unquestionably) to give confidence to the Company, and may probably enable them to dispose of the remaining Shares.

Mr. Livingston is not yet arrived, but is daily expected. I have put Mr. Grymes in possession of the merits of the Batture Case, and I trust he will oppose with success, any attempt which may be made by Livingston, to array on his side the Judiciary. On the Subject of the Batture, the public sentiment, does not appear to have undergone the smallest change, & I could not be answerable for the public peace, if the local authorities should undertake (without the previous sonction of Congress) to exercise any Control over that property.

In speaking of the Batture, I am reminded of an Act of Justice, due Mr. Grymes: Heretofore the office of United States Agent for Land Claims in the Eastern District of this Territory, has been holden by the District Attorney; but it seems at present, they are separated, since Mr. James Brown still acts in the former character. The Salary of Six hundred dollars per annum (in addition to the legal fees) as Attorney General, is indeed a very inadequate compensation to Mr. Grymes, for the public services, which he must necesarily render; But if he should be also employed as Land Agent, the Salary annexed may enable him to live in this expensive City; and will make him the more desirous to merit a continu-

ance of the confidence of Government. I certainly feel no delicacy in giving it as my opinion, that Mr. Brown should not be continued as the U. States Agent for Land Claims. Independent of other considerations, on the subject *of the Batture,* he has embarked for valuable consideration, in the Cause of Livingston, and of Course the benefits of Mr. B's talents, such as they are, must *in that case* be lost to the Government.

I delivered your letter (with its enclosures) to Mr. Duplantier, who promised to write you fully on the subject of General La Fayette's Land. A survey for four thousand acres, will be immediately transmitted to the Seat of Government. Some difficulty exists with respect to the residue of the surveys, of which Mr. D. will (doubtless) apprise you. Would to God, General Fayette, could find it his interest to emigrate (with his family to the U. States, and pass the remainder of his days in this charming Country. He would find the climate of Louisiana, admirably adapted to a constitution, which like his, has been impaired by the toils of the field and the cares of the Cabinet, and in every honest American, he would meet a grateful and sincere friend. What the value of General La Fayette's Land Claims in this Territory may be, I know not; But at present they would doubtless sell well, and their value will augment every year.

The Revolution in Spain has excited in this quarter a great share of solicitude. The Spaniards are highly elated; the English and their partisans view the event as most fortunate, and the French discover on the occasion much chagrine. But the real Americans, and such of the ancient Louisianians, whose feelings are American, seem only to wish, that the ultimate issue, nay be favorable to the United States. An opinion exists, that Bonaparte had not abandoned the idea of repossessing himself of Louisiana, and on this ground the rejection of his Government in Mexico, is cause of exultation; on the

other hand, it is feared, lest England by obtaining a Monopoly of the Spanish Trade, may acquire a commercial, ascendency, which will dispose her to be still more unjust to the United States; It is understood here however, that the people of Mexico, have a great disposition to declare themselves independent, and could they be assured, that the U. S. would recognize them as an independent People, the measure would speedily be adopted. Indeed Several Spanish officers and subjects now in this City, have on these points spoken very freely to me, for the express purpose of learning my opinions. But while in General terms, I have stated my private wishes, which (under existing circumstances) are most favorable to their Independence, I have disclaimed having any knowledge of the sentiment of my Government. The Regular force in Mexico, is represented to me, to exceed thirty thousand strong; for the most part, excellent Troops, and well officered. The regular Militia composed principally of creoles of the Country, exceed sixty thousand for the most part Cavalry, and are well disciplined— Their number could be augmented more than 40 thousand. The native Mexicans are generally unarmed, and held in the most perfect State of Vassalage and degradation; many of them, are employed in cultivating the Lands of others, and receiving in return, a bare subsistance.

The Vice Roy of Mexico is about sixty years of age and a member of an ancient and highly respected Spanish family; he was early noticed at Court & it seems was raised in habits of intimacy with Charles the 4th to whom he is much attached, and to whose favour he has been much indebted; The Vice-Roy is not a man of General Talents, but is esteemed a good Soldier, having distinguished himself as such, in the former War, between France and Spain; It is not true, as has been reported, that the Vice-Roy was in the Interest of the Prince of Peace; I am assured by a Spanish officer, (entitled to

credit) that the reverse was the fact, and he relates the following anecdote; to wit— The officer (my informant) about six months since having it in contemplation to visit Madrid, "with a view of acquiring promotion, requested of the Vice-Queen a Letter of introduction to the Prince of Peace, who declined, assigning for reason, that the Prince was unfriendly to her husband and had laboured to deprive him of the confidence of the King. The next Military Commander in Mexico, has the Rank of General of Division; he is an elderly Man, a European by Birth, but has little personal consequence. A Man of the name of Rendon(formerly secretary to Gardague at New York) is Intendant of the Army, & represented to be the most influential Individual in Mexico.

The Vice-Roy and the second in command, are thought extremely inimical to Bonaparte; but it is presumed, they would wish to keep Mexico dependent upon the Mother Country.

Rendon the Intendant, it is supposed will be friendly to immediate independence, and in which sentiment he will be supported by a Count Galvez, and a Count Casa Rul. These men are Europeans by Birth, but emigrated early, and each has obtained in the Army the Rank of Colonel. They married two Sisters, Natives of Mexico and descendants of some of the ancient Mexican Nobility, and by whom, they acquired immence fortunes, and to whom they own their Titles, and their present great influence.

If the Government desired it, (and would allow me for the purpose a small fund) I could without difficulty obtain correct information as to the proceedings in Mexico. The Bearer, Doctor Pendergrast, has expressed to me the pleasure he would take in acting on this occasion as a private agent. But if indeed such an Agent, should be desirable, I really do not know whether the Doctor would well answer the purpose; I believe him

to possess Talents above mediocrity, & he is esteemed Clever in his profession; his private conduct also, has for some time past; been marked with propriety. But how far, he may be fitted to promote the Interests of the United States in Mexico, even in an unofficial character, I cannot undertake to say.

To the English Agents and their partisans in this Territory, the Embargo has always furnished cause for much abuse of the Administration.[1] But it Nevertheless, seems to be highly approved by the body of the People: Of late some very inflammatory pieces have appeared against the embargo, and by endeavouring to shew its injurious operation towards Spain, it is designed to enlist against the administration all the Enthusiasm, which late events in Spain have excited in this Quarter, on the part of the Spaniards and their descendants; I suspect however that the Infractors of the Embargo acts, are concerned in these writings, with the base view of influencing the public sentiment, on the Trial of some Suits, which was lately brought by the District Attorney.

The fortifications are progressing; those at Plaquemine are well advanced. But notwithstanding the most prudent economy on the part of the superintending officers, much money will be expended; a greater sum I fear, than has been appropriated for the object. In this Territory the price of labour and Material, will probably be found 50 pr cent higher, than in any one of the U. States.

I had intended to avail myself of your former permission and to set out in a few Days on a visit to the U. States; but the late foreign news, and the so near approach to us of the Revolutionary spirit, occasion me to esteem it a duty to remain for the present at my post;

[1] The Embargo Act of Dec. 22, 1807.

at least, until, the Storms should either subside, or take a Course, not likely in any manner to effect this Territory.

It remains for me to appologise for this long letter & to subscribe myself

Signed Wm. C. C. Claiborne.

P. S. It is not believed that the people of Mexico, have any partiality for a Republican form of Government: A monarchy is thought best suited to their taste; Ferdinand 7th is the favorite; But to any distinguished Member of the family of Bourbon, there would probably be no great objections.

The Burrites in this City, are now the most Clamorous Spanish Patriots. The enclosed infamous production translated from the English, is this morning circulated among the Spanish part of our Society, & no doubt with very base views. I wrote some days ago to the Commanding officer at Fort Adams, and urged him to send immediately to this Post, two additional Company's of Regular Troops. But it is probable my request may not be considered by the Officer, as authority for his doing so. I do hope, that good order will be maintained; But the well disposed part of this Society, unite with me in opinion, that the presence of a greater military force, than is now here (two Company's only) would at the present crisis be serviceable.

Signed, Wm. C. C. C.

Collector
of the Port of Wilmington
in the State of Delaware.

N. O. Sept. 2nd 1808.

Will you be pleased to permit Mr. Wm. Kenner of this City (in whose integrity I fully confide) to import from Wilmington in the State of Delaware, during the

ensuing months of October, November & December, five hundred Barrels of flour for the Consumption of the Territory of Orleans.

Signed, Wm. C. C. Claiborne.

N. O. Sept. 2nd. 1808.

Wm. Kenner Esqr.

In answer to your application of the morning, you have inclosed a letter to the Collector of the Port of Wilmington, in the State of Delaware, upon presenting of which, your correspondent will meet no difficulty in making you the desired Shipments of flour.

Signed, Wm. C. C. Claiborne

Mr. Brent N. O. Sept. 4th 1808.

Mayor of Washington.

I have the honor to present for your acceptance, a copy of the Code of Police" for this City, and to subscribe myself &c.

Signed, Wm. C. C. Claiborne.

To James Madison

N. O. Sept. 7th 1808.

Secy. of State.

Eight days ago, Mr. Cevallos, an admiral in the Spanish service, and the late Commandant on the Vera Crux station, arrived in this City and on yesterday, it being stated in one of the Newspapers that a Vessel had arrived hence from Pensacola with dispatches to Admiral Cervallos from Governor Folch, I sent a verbal message to Mr. Cervallos, expressive of my wish to see him, and shortly thereafter he attended at the Government House. Mr. Cervallos began to apologise for not having pre-

viously paid his respects to me, complaining of ill health, and the deranged state of his wardrobe; But he was assured, that no apology of the kind was necessary; that ours was not a Government of Etiquette, nor did the Executive of this Territory exact visits of Ceremony from any one; But (in the present state of things) I had required his presence at the Government House from a principle of Duty. That amidst the conflicts of a troubled world, and when the Revolutionary Spirit had reached the Spanish Provinces immediately in this vicinity, it was impossible for the American Government, to look with Indifference on the passing Scenes. I must therefore request him to State under what circumstances and with what views, he had come to this City? Mr. Cervallos, with promptitude and apparent frankness answered, that "he had fled in great haste from an enraged populace, whose resentment he incured, by taking the necessary measures to prevent a French officer from being massacred who had arrived at Vera Crux with dispatches from the French Government, & that he had repaired to this City, as a place of safety & where he proposed to remain, until he could procure a passage to some port in Spain.

I then informed Mr. Cervallos that my enquiries being answered, & I presumed with entire candour, it remained for me to say to him, that the Asylum, he had sought was a safe one, for he was now under the protection of the American Government. The conversation continuing, Mr. Cervallos gave me to understand, that except at Vera Crux the most perfect good order (at the period of his departure) prevailed thro'out Mexico; that the Vice-Roy had caused Ferdinand 7th to be proclaimed King, and had indirectly acknowledged the Council of Serville, by causing the Declaration of War against France to be also proclaimed. As related to the dispatches from Govr. Folch, Mr. Cervallos, represented

them to contain only an invitation to him to repair to Pensacola, and an application to him for a Loan of Money for public purposes, if he had any to spare. Mr. Cervallos, is a Nephew of the Spanish Minister of that name, and is supposed here to be in the interest of Bonaparte.

Signed, William C. C. Claiborne.

To James Madison

(Private) N. O. Sept. 7th 1808.

Secy. of State

Messrs. ———— and others, are very intimate, and actively employed in exciting opposition to the General and local administration. ———— (with the assistance of his friends ———— and ————) is writing a Book, the principal object of which, probably will be, to ruin General Wilkinson, and resque his (———s) character, from the injurious suspicions, which at present attach to *it;* It is also supposed, that some statements will be made by ————, with a view to my injury. Indeed, when I recollect his own ill will towards me, and that of his Councellors and friends, I could not hope, to pass, without being the victim of much Calumny. ——— and ————, are the Men who engaged in Burr's Conspiracy, and have since been expelled my presence; ———— was strongly suspected, & to say the least of him is most unprincipled frenchman. Of ———— (I can only say) that Mr. Elicott has given a just description! and yet Sir, these are the men, who have most influence in fomenting in this quarter a spirit of opposition to the Government and the Laws; They received on last evening a great acquisition to their party, by the arrival of ————, who will no doubt, be disposed to go all lengths with this unprincipled faction. Many of my

Countrymen at this place, deserve well of their Government, among whom, there are none, who have been more uniform in support of the Administration, of the Laws, and of good order, than Benjamin Morgan, Joseph Saul and Doctor William Flood. Mr. Grymes and Lady arrived, and are an acquisition to our society. I shall render them such friendly civilities as may be in my power, and in Mr. Grymes, I doubt not, but I shall find a zealous and active supporter of the Government. The conduct of the Judiciary in this quarter, is really exceptionable; Judge Mathews is a man of sence, but he passes most of his time in the Mississippi Territory, and the Business for the most part devolves upon Judge Lewis, who is I believe an honest man, but really so deficient in point of Judg'ment, that his decisions command no respect.

My friend Mr. Robertson is still in Opelousas, and very much indisposed; too much so for the present to return to this City. Mr Johnson, whom you some time since introduced to my acquaintance, is employed in the Branch Bank at this place, and conducts himself with very great propriety; I possess the best dispositions to serve him, and shall do so, whenever it may be in my power.

The faction, who have so long been opposed to me, in this quarter, have really made me popular in the Territory. I meet at the present period, with more general support, from the Body of the People, than I ever before experienced. This change (so agreeable to me) has not arisen from any peculiar merits of mine, but is attributable to the despicable character of my opponents, and the vile arts, to which they resort, to destroy those, whom they cannot influence. I very much wish, to visit the United States; but at this particular period, my Judgment does not approve my absence. All is now quiet

here, but there are many men, in this City, who would willingly seize the first occasion, to excite commotion; The Burrites have become the most flaming Spanish Patriots and are labouring to excite against the Government & its friends, all the vengeance of the enthusiastic Spaniards.

I have requested the Commanding officer at Fort Adams to send to this post two additional Company's of Regular Troops; The presence of a larger Military force, than is now here is deemed desirable.

A very honest Man Immediately from the Mississippi Territory informs me, that ———— with at least 30 of his adherents, are now at Natches, and that they do not conceal their hostility to the American Government. ———— complains of a disposition on the part of the Atlantic States to check the prosperity of the Western Country but felicitates himself with a hope, that the late events in Europe, may throw the Island of Cuba into the hands of Great Britain, which will give her the Command of the Mississippi and of course the Western commerce, and may induce the Western Citizens to pursue their best Interest, which was to form a separate Government, bounded Eastwardly by the Alegany Mountains, and to place themselves under the protection of his Britannick Majesty. My informant was present when General ———— delivered sentiments to the above effect & is of opinion, that they are approved by the Society in which he (————) moves.

A Newspaper printed in the English & Spanish languages is to be published in this City, under the auspices of ———— and will (it is said) be devoted to the advancement of his views.

Signed William C. C. Claiborne

To Albert Gallatin

(Private) N. O. Sept. 9th 1808.

Secy. of the Treasy.

Settlements are daily forming on the vacant Lands in this Territory, and the Improvements are becoming objects of great traffic. Indeed it is stated to me (by a Gentleman of veracity) that persons residing in the Mississippi Territory and elsewhere, are in the habit of laying out and improving separate parcels of Land, West of the Mississippi, and afterwards selling their improvements for valuable considerations. It would at any time be difficult to prevent intrusions on public Lands, and I doubt, whether at this Crisis, it would not be highly inexpedient to attempt it; I must confess however, that it is to me, a matter of regret, that unworthy men, should most profit of the lenity of Government. For myself, I have always thought, that it would be the best policy, to permit generally the settlement of public Lands with the right of preemption to the actual Settler, under such restrictions as shall prevent Speculations, and secure to the United States the purchase money. A general provision of this kind, would occasion a press of emigration to this exposed frontier, and bring hither a number of excellent Citizens. At this time there are some honest, industrious Men, who have set themselves down on vacant Lands, but the more deserving, are for the most part restrained from doing so, from an unwillingness to violate the Law. The unprincipled Speculator however, feels no hesitation (as is reported to me) in making many improvements, & often meets a purchaser in the uninformed and honest Emigrant.

Everything here is at present tranquil; we have no late news from Spain, or her provinces; there is a Vessel in the River, from Havanna with a number of Passengers; but I do not learn, that they bring any News. Mr. Livingston has returned, and entertains great hopes of substantiating his claim to the Batture.

I had designed, to set out for the U. States, in the course of this month; but in the present aspect of affairs, my Judg'ment does not approve my absence from the Territory.

Signed, William C. C. Claiborne.

To Albert Gallatin

N. O. Sept. 15th 1808.

Secy. of the Treasy.

Since my communication of the 9th advising you of the many unauthorised settlements which were daily forming on the Lands of the U. States, a friend of mine residing at Natchez, in a letter, bearing date the 3rd of this month states.— "That a number of persons from the City of Natchez and County of Adams, were taking up Lands on the Bayou Tensaw in the Territory of Orleans, from speculative views." If (adds my correspondent) "The Land was actually settled by unfortunate adventurers, I should sympathize with them; but in this instance, the case is quite different; the lands are taken up, by persons residing in the Mississippi Territory, who are rich &c. There is no doubt of the truth of this information, and unless the President interposes his authority, and that speedily, the Claim of the U. States to most of the fertile Tracts of land in this District, will be encumbered with the surveys, & improvements of some unprincipled speculator, whose objects are *to render tributary to his avarice,* such Emigrants as may be disposed to become actual settlers.

I should Indeed greatly approve of any measure, which would promote the emigration hither, of peaceful, honest and industrious Citizens, nor is there any reasonable indulgence which I would wish withholden from the Actual settler. But I am pained to find, that unworthy Men, & avaricious speculators, should most profit of the Lenity of Government.

Signed, William C. C. Claiborne.

To Col. F. L. Claiborne

(Private) N. O. Sept. 11th 1808.

I now find it impossible for me to leave this City, previous to the month of October, without evident inconvenience to the public interest; I have therefore sincerely to regret, that I envited you to send Horses to me at Bookters. But if you should have done so I trust you will forgive the trouble to which you have been subjected, when I assure you, that some necessary and important public concerns, (which were not anticipated by me, when I wrote you last) require my presence at or near this City.

The Judgeship of Concordia is still vacant; Mr. Beauford will not be appointed; a federalist of the east, which he is represented to be, has no Claim upon my patronage. I approve highly of Doctor Shaws political principles, and the very flattering terms, in which you speak of him, recommend him to my private friendship. But I do not consider it a correct policy, to select for Parish Judges Citizens of another Territory.

I have heretofore on some occasions been induced to tender appointments in this Territory, to individuals, who did not (at the time) reside within its limits. But as an inducement, there were considerations of political expediency, which in the case before us do not occur.

Major Richard Claiborne who professes to be a Republican, wishes the Judgeship of Concordia: It seems that his office at Rapide is not agreeable to him, and the reason I presume is, that it does not give him a comfortable support. But I am unwilling to send to Concordia an Officer, who in any manner would interfere in the Elections, of the M. Territory and particularly one who would do so, in order to advance the cause of federalism; nor will I commission Major Claiborne if there should be

just grounds to suppose, that he would pursue such a course.

Signed Wm. C. C. Claiborne.

To Thomas Jefferson

(Private) N. O. Sept. 17th 1808.

President U. States.

Desirous to ascertain the real state of General (La) Fayette's Land Warrants, I lately applied for information to the Register Mr. Van Pradelles, who has favored me with a letter, of which, I now inclose a Copy for your perusal. I shall in a few Days, see Mr. Duplantier, and will urge his unremitted attention to the claims of General (La) Fayette until the locations are all made, & the Titles completed. Like Improvemtns to those, which in the opinion of Mr. Van Paredelles vitiate six of the locations, will I fear be found on most of the chosen spots in this Territory; unauthorised settlements on the vacant lands are daily forming, and for the most part with a view to speculation; But on this subject, I have been explicit in two late communications to the Secy. of the Treasury, which I presume will be laid before you.

Since my letter of the 1st Instant, Mr. Pitot, has communicated to the Directors of the Navigation Company, what had passed between him and myself relative to a loan from the U. States, and it seems, from the enclosed letter to me (No. 2), that the sentiments of Mr. Pitot, as expressed in his inofficial letter of the —— Instant, (already transmitted to you) are approved by the Board.

If a vacancy in the Supreme Judiciary of this Territory still exists, permit me to recommend to your patronage, Colonel John Thompson, the present Register of the Land office for the Opelousas District; Colonel Thompson studied Law regularly, & altho' he never became a practitioner, yet by acting for some time in Kentucky as an associate Judge, he acquired a knowledge of the prac-

tise: Colo: Thompson unites to correct political principles, handsome talents, and great integrity of Character; he has made considerable progress in the acquirement of the french Language, and is much esteemed by society; particularly by the ancient Louisianians.

Mr. Livingston has brought with him from the U. States, the opinions of many Lawyers, in support of his Title to the Batture, and which declare, the interference of the Executive of the United States, to have been without precedent, and unauthorised by the act of Congress. To this effect, are the opinions of Messrs. Ingersall, Rawl, Duponceau, Lewis & Tilman, which have (I am told) been exhibited on the Exchange, and read for the instruction of the bye standers. It is reported, that these opinions are designed for the press; if so, I am persuaded it will appear, that a full view of the case was not presented, and that the statements on which the opinions are predicated, are untrue.

Finding that several of the Gentlemen lately appointed officers in the additional Regiments, had not accepted their Commissions, and of course that there would be vacancies for several sub-Lieutenants and Ensigns, I take the liberty to recommend to your notice, Lewis P. Ducros, a very promising young creole, and the son of a very respectable and influential Citizen. Lewis P. Ducros is about eighteen years of age, of fine figure, and apparently a robust constitution; he is represented to possess an excellent Moral Character, and a laudable spirit of emulation. I will also, pray the Liberty of mentioning to you, Mr. David Becket of this City, as a candidate for the honor of a Commission in the Army of the U. States; Mr. Becket, is prudent, sensible, brave, and patriotic; He served with Mr. Robertson the last year in a Company, which was on duty at Norfolk, and emigrated hither eight or 10 months past. Mr. Robertson speaks of Mr.

Becket, as one of the most amiable young men he ever knew, and thinks with me, that he would make a most excellent officer.

Signed Wm. C. C. Claiborne.

Benj. P. Porter N. O. Sept. 20th 1808.
Atty. at Law.

Will you be good enough to represent the Attorney General in the Parish Court of New Orleans, and consider this letter, as your authority, (during the absence of the Attorney General) "to prosecute and conduct in Said court all suits in which the Ty. of Orleans shall be concerned, and to prosecute all delinquents for crimes and offences agains the Law."

I am Sir, &.

Signed Wm. C. C. Claiborne.

N. O. Sept. 20th 1808.

Judge L. Moreau Lislet.

I have the honor to inform you that Mr. Porter, Atty. at Law will in the absence of the Attorney General, prosecute and conduct all suits in the Parish Court of New Orleans, where the Territory of Orleans shall be concerned, and that he will also prosecute before said Court, Delinquents for crimes and offences against the Law of said Territory.

Signed Wm. C. C. Claiborne.

To Albert Gallatin

N. O. Sept. 30th 1808.

Secy. of the Treasury.

I have this day drawn upon you, two Bills payable at ten days sight, to William Brown Collector, or order, the one for twelve hundred and fifty dollars, being the

amount of my quarter's salary ending on this day, and the other for seven hundred and fifty dollars, on account of the fund appropriated to defray the contingent expenses of the Executive Department of the Territory of Orleans.

Signed William C. C. Claiborne.

N. O. Sept. 30th 1808.

Secy. of the Treasy.

I have the honor to enclose you my contingent account, for the quarter ending this day, together with the necessary Vouchers.

Signed, William C. C. Claiborne.

Joseph Nourse N. O. Oct. 1st 1808.

Register of the Treasy.

In answer to your letter of the 3rd of September last, I have the honor to State, that the like appropriation for the ensuing year as was made for the present, will meet the expenses of my department.

Signed, Wm. C. C. Claiborne.

(Circular) N. O. Oct. 4th 1808.

Parish Judges.

The bearer Mr. David Becket will deliver you ——— Copies of the Civil Code, one of which you will preserve for your own use, and present a Copy to each Justice of the Peace of your Parish.

Signed, Wm. C. C. Claiborne.

P. S. For the Judge of Rapide.——— You will deliver one copy of the Code to the Sheriff of the District ——— another to the Clerk ——— & a third to Mr. Fulton.

Wm. C. C. C.

N. O. Oct. 4th 1808.

David Becket.

You will deliver the Laws, with which you are charged to the following Gentlemen, and in the following proportions, to wit:

Judge	St. Martin, of the Parish of	St. Charles,	four	Copies;
do.	Trouard, ...do.....	St. John Baptist,	four	do;
do.	Cantrelle, ...do.....	St. James, ...	Six	do;
do.	Turner, ...do.....	Ascension,	Six	do;
do.	Meriam .....do.....	Iberville,	four	do;
do.	Wykoff .....do.....	Baton Rouge,	four	do;
do.	Dormenon, ...do.....	Pointe-Coupee,	Six	do;
do.	Claiborne, ...do.....	Rapide, ...	eleven	do;
do.	Bry, ...do.....	Ouachitta,	Six	do;
do.	Tennell, ...do.....	Catahula,	four	do;
do.	Oliver, ...do.....	Avoyelles	Six	do;
do.	Carr, ...do.....	Nachitoches.	Six	do;
do.	King, ...do.....	Opelousas	six	do;
do.	White .....do.....	Attakapas,	eight	do;
do.	Goforth .....do.....	Lafourche Int.	five	do;
& do.	Hubbard .....do.....	Assumption	five	do;

Mr. St. Martin, resides on the West Bank of the Mississippi, about eleven leagues above New Orleans, & nearly opposite to the plantation of James Brown;

Judge Trouard, resides on the East Bank of the River, about 12 leagues from the City;

Judge Cantrelle, on the West Bank of the Mississippi, a short league above the Tavern of Peter Mitchell;

Judge Turner, on the same side, about two leagues above the white House;

Judge Meriam, on the East Bank of the River, about half a league, on this side of Manshac church;

JudgeWykoff, on the East Bank of the River about half a league above Baton Rouge;

& Judge Dormenon, near point Coupee Church.

With regard to the residence of the other Judges, to whom you are to deliver laws, you require, I presume no information.

On your arrival at Rapide, you may probably obtain

a safe private conveyance for the laws of Aoyelles, Catahula & Ouachitta, and if so, you will be relieved from some trouble; I, on my part, will be satisfied with any arrangement you may make on this point, provided the conveyance you may resort to, should by the Parish Judge of Rapide be thought a safe one.

If an opportunity should serve, I should be happy to hear from you, while on your Journey.

Signed, Wm. C. C. Claiborne.

P. S. On your passage up the River, I would advise you to stop at the mouth of Lafourche, & endeavour to obtain from thence, a conveyance for the Laws directed to Judges Hubbard and Goforth; or perhaps it may be best to leave them with Judge Turner, who resides near Lafourche, and will have frequent occasion to transmit them in safety. At the ensuing Superior Court, probably Messrs. Hubbard and Goforth will each be at Donaldsonville, near Judge Turner's.

Signed, Wm. C. C. C.

To Thomas Jefferson

N. O. October 5th 1808.

President U. S.

Your letter dated on the 16th of August at Monticello, has been duly received. My official communications to the Secretary of State and War, will have informed you of the trial and conviction of four Alabama Indians charged with murder. The Court, the Attorney General and myself entertaing doubts how far the act of Congress, which points out the mode of trying Indians for offences committed against Citizens of the U. States, was in force in this Territory, it was deemed expedient, to try the Alabama's under the Territorial Statutes; The pardoning power therefore, having devolved upon the Territorial Executive, it was exercised with promptitude and pleasure, and two of these unfortunate men, were re-

stored to their families and their friends. I would most willingly have extended Mercy, to three of the offenders; but the guilt of two being apparent, and no ground for clemency, presenting itself in favour of either, the law as to them was left to operate. I had anticipated your approbation of my conduct on this occasion. The consideration which led to the exercise of Mercy, will readily be perceived, and their force acknowledged by the good and virtuous.

For myself I have always thought the most lenient measures, were best calculated to acquire and preserve a good understanding with out Indian neighbours. A contrary course, will serve only to awaken a remembrance of the wrongs offered their ancestors; to hurry them to acts of Revenge, and to hasten their extirpation from among the Nations of the Earth: This latter event, the Indians themselves anticipate; One of their Chiefs has expressed himself on the subject, in strong and striking language. I do not recollect the occasion or the name of the chief, but it has been related to me, that a chief of some one of the Northern Tribes, after remaining for some time silent and in a pensive mood, exclaimed in an audible voice — "Yes" — "The time will come, and it is not far distant, when in this whole tracts of Country there will not be left, one solitary Indian for a White man's dog to bark at." This chief loved his Country; he felt for the wrongs of his Countrymen, and was sensible of the degraded State to which they were reduced.

We have in this Territory, many little tribes to whose happiness and prosperity, (under the orders of the President) it would be my pride and pleasure to contribute: With these Tribes, hunting continues a favorite pursuit; Agriculture and the raising of stock are but partially attended to; But the men are often useful, in assisting Boats in navigating the Mississippi and its waters; And the women have of late turned their attention to manu-

factures. They make a variety of Baskets and mats which are exchanged with the white Citizens for provisions and clothing. I have obtained a Basket and a mat manufactured by the Attakapas Indians, which are transmitted * * * * Manuscript torn— two pages of Journal missing * *

Doct. D. Latimore N. O. October 10th 1808.
Concordia.

I am desirous to nominate as Parish Judge of Concordia, a Citizen, who possesses and merits the Esteem and confidence of the Inhabitants of said Parish. With this view, I must ask the favour of you, to inform me by the return Mail, whether or not such an appointment will be agreeable to you. I must beg you, not to delay your response, since the public Interest requires, the vacancy to be speedily filled.

Signed, William C. C. Claiborne.

Captain Abrahams, N. O. Oct. 11th 1808.
Military Agent.

In answer to your letter of yesterday, I give it as my opinion, that the public Interest would be promoted, if provision was made to pay monthly at Plaquemine, the wages of the Mechanic's & Labourers employed at that Garrison; nor do I see any objection to your transmitting the necessary sums, by the Assistant Engineer Charles Laveaux, taking his receipts for the same. If Mr. Laveaux should prove unfaithful to the trust reposed in him, his property in this City, which I understand is valued at from 12 to fifteen thousand Dollars, would be subject to the Claim of the Government; but if the money in whoel or in part, should be lost by unavoidable acci-

dents, neither you or Mr. Laveaux (in my opinion) would ultimately be held accountable by the Government.

Signed, Wm. C. C. Claiborne.

To Judge J. White

N. O. Oct. 11th 1808.

Previous to the recipt of this letter, there will have been delivered to you a Copy of the "Civil Code", as adopted at the last session of the Legislature. It being understood by our Courts of Justice, that the *Body* of the Civil Law (except in criminal cases) was in force thro'out the Territory, it surely was proper to place *it* before the people.

The Code will probably be greatly censured by many native Citizens of the United States who reside in the Territory. From principle and habit, they are attached to that system of Jurisprudence, prevailing in the several States under which themselves and their Fathers were reared: For myself I am free to declare the pleasure it would give me to see the Laws of Orleans assimilated to those of the states generally, not only from a conviction, that such Laws are for the most part wise and just, but the opinion I entertain, that in a Country, where a unity of Government and Interests exists, it is highly desirable to introduce thro'out the same Laws and Customs. We ought to recollect however, the peculiar circumstances in which Louisiana is placed, nor ought we to be unmindful of the respect due the sentiments and wishes of the Ancient Louisianians who compose so great a proportion of the population. Educated in a belief of the excellencies of the Civil Law, the Louisianians have hitherto been unwilling to part with them, and while we feel ourselves the force of habit and prejudice, we should not be surprised, at the attachment, which the old Inhabitants manifest for many of their

former Customs and local Institutions. The general introduction therefore into this Territory of the American Laws must be as effect of time; the work of innovation must progress slowly and cautiously, or otherwise much inconvenience will insue, & serious discontents will arise among a people who have the strongest claims upon the Justice and the liberality of the American Government.

I fear you will continue to experience difficulty, in the faithful discharge of your official duties; The aversion of the ancient Louisianians to our Courts of Justice and particularly their dislike of Lawyers, the *mutual Jealousy* between the French and *American* population, together with the great dislike of the latter to the principles of the Civil Law, (which will for the present be your guide) cannot fail to render your situation unpleasant; But I must pray you to persevere in your honest endeavours to render the Government acceptable to the people and to administer the Laws "with Justice and in Mercy". The time was I believe when the Louisianians had formed an opinion, that the Executive of this Territory, was inimical to their best interests, and designing men, had succeeded in impressing them with a further belief, that the Executive, harboured also some personal prejudices against them. But these Impressions I trust are no longer intertained by the good and virtuous. Every sentiment of honor combines to render the General Interest of this Territory dear to my heart, and I should indeed be wanting in sensibility had not the many private virtues of the Louisianians recommended them to my sincere esteem. Of late, it has been hinted to me, that a portion of my fellow Citizens (the native Americans) view me as opposed to their interests, and as desirous of giving a preponderance to what they term "the french Influence"; Unjust, as is this imputation, it is nevertheless one, which I had anticipated would attach to my approbation of the Civl Code. But until the time

shall arrive when all parties will see that the adoption of this Code was recommended by the strongest considerations of Justice and policy, an approving conscience will shield me from inquietude, nor can I (under any circumstances) reflect but with the utmost satisfaction, on my past administration, which, (altho' in some points may have been unfortunate) has been directed thro'out by the purest motives of honest patriotism.

I take this occasion to suggest to you, that altho' you are not compelled by law, to settle with the Treasurer, for the Taxes of the present year, prior to the 31st of March next, yet payments either in whole or in part previous to that day, will be a great accommodation to the Territory, and the more so, since the Legislature will be in session in January, when of course, there will be some heavy demands upon the Treasury.

Signed, Wm. C. C. Claiborne.

(Private) N. O. October 14th 1808.

Mr. Bramham
Atty. at Law.
Washington M. Ty.

Your letter of the 28th of June (enclosing duplicate copies of the Notes of Mr. Bullin and Mr. De France to Doctor Claiborne) was handed to me in September last in Opelousas, and immediately I acknowledged the receipt thereof. But as it is very possible my letter may have miscarried, I take this occasion again to thank you for your friendly services, and to add, that the original notes having since come to hand, I have enclosed the Duplicate Copies to my Brother Colo: Claiborne, with a request that he would deliver the same to Messrs. Bullin & De France; the original notes of these Gentlemen, I have passed to Mr. Benjamin Morgan, and have no doubt, but they will be duly honored.

Signed, Wm. C. C. Claiborne.

To Col. F. L. Claiborne

Private N. O. Oct. 14th 1808.

I have received by Moses, 12 Bales of Cotton and for which I sincerely thank you; If you should have thought me too solicitous for some remittances, you must attribute it to the inadequacy of my present pecuniary Resources to meet the demands against me.

While Doctor Claiborne was at Natchez, he advised me by letter, that he had transmitted me certain notes of Messrs. Pannill, De France & Bullin, But the notes not reaching me, I concluded they had miscarried, and advised the Doctor thereof. It seems thro' the friendly interference of Mr. Branham Attorney at Law, the Doctor obtained the renewal of the notes of Messrs. De France & Bullin, and the same was forwarded to me; But the original notes having since come to hand, I now enclose you the Duplicates which I beg you to deliver to the Gentlemen who gave them. The original notes, I have passed to my friend Benjamin Morgan, and flatter myself they will be duly honored.

I noticed your conduct in the Legislature; it was marked with great prudence, and cannot fail to do you credit.

Captain Vidal and myself are friends, and I beg you to be attentive to him.

The appointment of Parish Judge for Concordia has been offered to Doctor David Latimore; I could not (under existing circumstances) have made a better selection; If the Doctor should decline accepting, how would it do, to nominate Major Claiborne? He is extremely solicitous to be removed from Rapide.

I shall visit you in the course of the winter.

May God bless you and yours

your affectionate Brother

Signed, Wm. C. C. Claiborne

Commodore Porter, New Orleans Oct. 21st 1808.
or in his absence the Navy officer
Commanding at N. O.

I have received such information as leaves no doubt on my mind, but that on the 11th of this month, Mr. Picou a respectable Citizen of this Territory, being on his return from New Orleans to his farm on the German Coast in a Pirogue, navigated by four Negroes, was very improperly fired upon from the Gun Boat No. 17, and himself and his property detained.

Under an impression, that the young officer by whose orders this outrage was probably committed, may from want of experience have mistaken his duty, I am not disposed, (nor do I suppose Mr. Picou would himself wish) to urge this subject further than to request, that such Instructions may be given to the Commanders of Gun Boats on this Station, as may prevent a like occurrence.

Permit me to suggest as a means, that in all cases, where it may be deemed necessary to inspect Pirogues or small Boats ascending or descending the River, that the same may be visited by a officer from the Gun Boat. It will be recollected, that many of the Pirogues or small Boats on the Mississippi are navigated by persons whose Language is french, and that if after being hailed & ordered to come to, they (for non compliance) be fired at and detained, it may often happen, as was the case with Mr. Picou, that peaceful and unoffending Citizens, may be unnecessarily alarmed and unjustly dealt by.

Signed, Wm. C. C. Claiborne.

P. S. You have inclosed an Extract of a Communication to me, from Judge St. Martin, giving some particulars of the transaction, which has occasioned this Letter.

Wm. C. C. C.

To Parish Judges

(Circular) N. O. October 22nd 1808.

Previous to the receipt of this letter, there will have been delivered to you, a copy of the "Digest of the Civil Laws". It being understood by our Courts of Justice, that the principles of the Civil Law (except in Criminal cases) were in force thro'out the Territory, it became expedient to place them before the Public. Heretofore few Citizens had a knowledge of the Civil Law; it was spread over innumerable Volumes, and was for the most part, written in a Language which few could read. The uncertainty of the Law, was a source of great embarrassment, not only to private Individuals, but to the Magistrate who was to administer it. By the adoption of the Digest, one desirable object is at least effected. The Laws are rendered more certain, and if in their operation they should be found unjust, the Legislature, will I am persuaded, loose no time in making the necessary amendments.

Indispensable as (under existing sircumstances) has been the adoption of the "Digest" it will nevertheless (I suspect) be much censured by many native Citizens of the U. States who reside in the Territory. From principle and habit, they are attached to that system of Jurisprudence, prevailing in the several States under which themselves and their Fathers were reared: For myself I am free to declare the pleasure it would give me to see the Laws of Orleans assimilated to those of the States generally, not only from a conviction, that such Laws are for the most part wise and just, but the opinion I entertain, that in a Country, where a unity of Government and interests exists, it is highly desirable to introduce thro'out the same Laws and customs. We ought to recollect however, the peculiar circumstances in which Louisiana is placed, nor ought we to be unmindful of the respect due the sentiments and wishes of the ancient

Louisianians who compose so great a proportion of the population. Educated in a belief of the excellencies of the Civil Law, the Louisianians have hitherto been unwilling to part with them, and while we feel ourselves the force of habit and prejudice, we should not be surprised, at the attachment, which the old Inhabitants manifest for many of their former Customs and local Institutions. The general introduction therefore into this Territory of the American Laws must be the effect of time; the work of innovation must progress slowly & cautiously, or otherwise much inconvenience will insue, & serious discontents will arise among a people who have the strongest claims upon the Justices and the liberality of the American Government.

I fear you will continue to experience difficulty, * * * * [Manuscript torn]

* * * * Laws. It being understood by our Courts of Justice, that the great principles of the Civil Law (except criminal Cases) were in force thro'out the Territory, it was deemed expedient to place the same before the Public.

The uncertainty of the *Law,* has heretofore been a source of great embarrassment, as well to Magistrates as to private Individuals; it was spread over innumerable Volumes, and for the most part, written in a Language, which few Citizens could read.

By the adoption of the Digest, one desirable object is at least effected; the Laws are rendered more certain, and if in their operation, they should be found unjust, the Legislature will, I am persuaded, loose no time in making the necessary amendments.

Signed, Wm. C. C. Claiborne.

To Thomas Jefferson

(Private) N. O. Oct. 24th 1808.

President U. States.

In a former letter, I mentioned the opinions of certain Lawyers of Philadelphia, upon the subject of the Batture, which Mr. Livington was promulgating in this City for the purpose of indluencing the public sentiment. I now enclose a printed Copy of "A Memoire par Mr. Du Ponceau Juris consulte a Philadelphie" together with a response in manuscript, by Mr. Thierry. Editor of the Louisiana Courier. I am not sufficiently acquainted with the French Language, or with the Laws relied on to inform myself of the merits of Mr. Thierry's production; but it seems to be written with some ability, and will probably be found worthy your perusal. A Petition to Congress (of which the enclosed is a Copy) is in circulation, and will probably obtain many signatures.

The "Batture" is in truth nothing else than a Shoal or Elevation of the Bottom of the River," It cannot properly be termed alluvion, since it is periodically covered with water, and for at least four months in the year forms a part of the Bed of the Mississippi; and it seems to me, no Tribunal, other than the Congress of the U. S., could authorise an Individual to exercise the exclusive right of ownership over the same. An Act was passed by the Parliament of Great Britain, in the year 1771, "for enabling certain persons to inclose and imbank part of the River Thames adjoining to Durham Yard," but not without considerable opposition, upon the ground that it was an invasion of the property claimed by the City of London in the Bed or Soil of the River; But should the Batture, "or shoal" in front of the Suburb St, Mary be *enclosed* or *imbanked,* it will not only be an invasion of the rights of the City of New Orleans, but of every individual who may descend the River, to this Port; for this Batture as before stated, is a part of the Bed of the River, & as such has for at least four months

in each year from the foundation of New Orleans to the present day, been used as a common high way.

It is not true, that John Gravier was, on the change of Government in possession of the Batture; on the contrary, it has been (when uncovered with water) immemorially used as a public common; From the Documents heretofore transmitted to the Department of State, it does appear, that persons who had intruded on that Batture, were removed by order of the former Spanish Governors, & that an application to the Cabildo, from a private Individual, for permission to erect a Mill upon the Batture, was rejected! When possession of Louisiana was received by the American Commissioners, I considered the Batture, as a public Common, nor, would an individual (during the existence of the temporary Government) been permitted to intrude thereon. But I will press this case no further on your attention, and indeed I owe an apology for having said thus much. Since however, there appears to be a determination on the part of Mr. Livingston, his Councellors and advisers here and elsewhere to leave no efforts unessayed to acquire possession of the Batture, I shall acquit myself of a duty, which I owe to the Government, and to the *Cause of Justice,* and will (in a few days) in a letter to the Secy. of State, lay before him, more in detail, than I have heretofore done, my sentiments upon the subject.

I am no less afflicted at the discontents, which the Embargo seems to have occasioned in some parts of the United States, than at the Confidence, which Federalism, has in consequence assumed. But should the misrepresentations and misconceptions of the day, so far mislead my Countrymen, as to induce a change in measures designed solely for their safety, and so well calculated to effect the object, the misfortune will only be temporary. The expediency, the necessity of the Embargo, must every day become more apparent, nor can the American

People remain insensible of the Good it has produced. It *it* has not disposed the Powers of Europe to be just, it has at lease preserved our property from Plunder; Our seamen from captivity; It has done more— the honor, the Independence of our Country have not been sacrificed by a tame submission to the Decrees of the Tyrants of the Ocean,[1] & the time cannot be distant, when the Nation with great unanimity will render that Justice to the Embargo, which passion and prejudice now refuse.

Signed, Wm. C. C. Claiborne.

To James Madison

N. O. Oct. 29th 1808.

Secy. of State.

I know not in what manner I could better conform to a request made of me, in a letter from Captain Abrahams, the Military Agent at this place, than to take the liberty of transmitting the letter itself for your perusal.

Captain Abrahams seems to me, to have exercised in his Department a most prudent economy, and from the zeal and Integrity in office, which he has here manifested, I am persuaded, that if on his return to Georgia, the Government should again honor him with their confidence he will be found a very faithful officer.

Signed, Wm. C. C. Claiborne.

N. O. Oct. 30th 1808.

Doctor D. Latimore.

I have the honor to enclose you a Commission as Judge of the Parish of Concordia, and I sincerely hope you will not withhold (on this occasion) from your fellow Citizens, the benefit of your public services. On the 10th Inst. * * * * [Five pages of Journal missing.]

* * * * appear well satisfied with their present po-

[1] Quite like some expressions of the present day.

litical destiny, and of late, the exercise of my official duties has neither been unpleasant or difficult on the contrary I meet with a support and confidence from a majority of the people, which afford me much pleasure.

I sincerely wish you a long and happy life.

Signed William C. C. Claiborne.

(Private) N. O. Oct. 31st 1808.
Lady Abbess
of the Ursuline Convent.

I am honored with the receipt of your letter of the 30th Inst. together with its enclosures.

I shall transmit to the care of the Honorable the Secy. of State, at the City of Washington, the letters you have addressed to your correspondents in New York and in France; nor will I fail to recommend your application to the President of the United States, and to solicit in behalf of your amiable community a continuance of his patronage.

I have the honor to be, with sentiments of great respect &c.

Signed, William C. C. Claiborne.

Commodore Porter N. O. Nov. 1st 1808.
or in his absence the Navy officer
Commanding at N. O.

The enclosed letters, relative to the conduct of the officer commanding a Gun Boat, stationed at Manshac are transmitted for your perusal.

I should regret, if the Conduct of the officer, has really been as reprehensible, as is represented; I cannot however avoid, expressing a wish, that officers of experience and established prudence, may be selected to command at Manshac, or otherwise, I much fear, that the

causes for complaint on the part of the Citizens will daily augment.

Will you be good enough to return the enclosures, after having perused them, and to inform me, whether a letter which I addressed to you on the 21st Ultimo, has been received.

Signed, Wm. C. C. Claiborne.

To Judge King

N. O. November 1st 1808.

I have received your letters of the 21st & 22nd of last Month.

On the return to this City of the Adjutant General, the resignation of Captain Elmer, will be accepted, and the Lieutenant you recommend promoted. In the mean time Captain Elmer (whose merits as an officer I highly appreciate) will continue to command his company.

You have enclosed, a Commission as Justice of the Peace, for Mr. Sutton, which you will be pleased to deliver, and to administer to him the oaths of office.

I feel no hesitation, in taking upon myself, to give permission to the Alabama's to settle upon Lands of the U. States, and to accompany it, with an assurance, that I will intercede in their favour with the Government, and endeavour to obtain for them, a Grant for two or three thousand Acres of Land, which I presume, will be as much, as they would desire: Will you have the goodness therefore, to advise with the Alabama's, as to the Spot, where they would wish to reside, and if you should find *it* belonging to the U. States, and so situated, that no inconvenience is likely to result to the Citizens of Opelousas from its being settled by Indians, you will (in my name) authorise the Alabama's to remove thereto.

Signed Wm. C. C. Claiborne.

To Capt. Poydrass

N. O. Nov. 2nd 1808.

Previous to the receipt of your letter of the 26th Ultimo, I was officially informed by the Adjutant General, of the very respectable and Military appearance of your Troop at the Review, which afforded me much satisfaction.

I am sorry to find that the properity of your Troop should be cause of discontent to any portion of the Militia Infantry; it is a little Jealousy, not sanctioned by liberality, and will I trust, be of short duration.

A Troop of Horse, should consist, of one Captain, one first Lieutenant, one Second Lieutenant, one Cornet, four sergeants, four Corporals, one Trumpeter and forty Privates, and no more: If your Troop, should not be so completed, you are at liberty (under the Law) to obtain, by Voluntary Enlistment, the necessary Recruits.

Signed, William C. C. Claiborne.

To Henry Dearborn

N. O. Nov. 5th 1808.

Secy. at War.

You have heretofore been informed, of the Messagess which, in consequence of the late conviction of four Alabama Indians of the Crime of murder, I had sent to the Chactaws of the Bayou Chico Village, and to the Tribe of Alabama's and you will recollect, that in my message to the Chactaws, I had proposed to present to the wife and children of the Indian murdered by a white man, of the name of Thomas, Merchandise to the value of Sixty dollars. By letter from Judge King, the Bearer of my Messages, I learn, that the Chactaws, will not permit the widow to receive the presents alledging that notwithstanding my assurance to the contrary, "it would have very much the appearance of a compromise for Thomas, and would be so considered by other Indians."

As relates to the Alabama's, Judge King reports as follows. "They the Alabamas, appear perfectly satisfied and greatful for your Clemency, they however complain of great distress, in as much as they have no claim to any Land in the Country; but have resided many years on ground claimed by white Individuals, who have lately suggested to them the necessity of removing— they say, that they have lived here, among the white people forty years; that their men are in the habit of hunting, driving Cattle, and acting as Boatment, and their women and children of gathering Cotton. By which means, they support their families; that they are unwilling to leave the neighbourhood, and are desirous of knowing, whether they will be permitted to establish a small village, sufficient for about a dozen families, on the Lands of the United States, which they may expect will be permanent."

The Alabama's formerly resided on the waters of the Mobile, and emigrated to Louisiana about forty two years ago; a few families set themselves down in Opelousas; but the greater number settled on the Sabine. Feeling sensibly for these poor wanderers, or rather Exiles from the Country of their ancestors, and desirous to contribute to their happiness – I have in a letter to Judge King, dated on the 1st Instant, thus expressed myself— "I feel no hestitation, in taking upon myself, to give permission to the Alabama's to settle upon Lands of the United States, and to accompany it, with an assurance that I will intercede in their favour with the Government, and endeavour to obtain for them a Grant for two or three thousand acres of Land, which I presume will be as much as they would desire; will you have the goodness therefore, to advise with the Alabamas as to the Spot, where they would wish to reside, and if you should find it belonging to the U. States, and so situated, that no inconvenience is likely to result to the Citizens of Opel-

ousas, from its being settled by Indians you will (in my name) authorise the Alabama's to remove thereto."

I am persuaded that on this occasion, my feelings are in unison with the Government, & that so long, as the few Alabama families, now in Opelousas, shall conduct themselves with propriety, they will find a friendly Asylum. The late outrage was the first offence, with which the Alabamas had been charged; and even on that occasion, the conduct of the little Tribe was exemplary; they, with promptitude delivered up the murderers, and among the most active in effecting their arrest, was the Father of one of the offenders.

Signed, Wm. C. C. Claiborne

Wm. Thomson Esqr. N. O. Nov. 5th 1808.
Atty. at Law.
Washington, M. T.

Your resignation as Attorney general of this Territory, has not been received, but in a letter from you to Mr. Robertson, I learn that it has been forwarded, and the reasons which influence you.

Never was there a more mistaken Idia, than the one you have entertained "that the nomination of Mr. Porter, to act temporarily as your Representative in the Parish Court of New Orleans, proceeded from a want of confidence in the Attorney General, or with a view to his Injury;" The reverse, is the fact; a wish to serve you, and to prevent the public business from sustaining injury led to that act. On my arrival in New Orleans, Mr. Duncan, who (I believe) on my recommendation, you had named your Deputy was absent, nor did he return in time to attend to the Criminal prosecutions in the Parish Court of N. Orleans.

On the 18th of September the Parish Court being in Session, and no Representative of yours present, I under-

stand that the Judge had named Mr. Workman Atty. General pro tem:; But that Mr. Workman had declined acting, saying that the right of Appointment was not in the Court. On the following day, (the 19th Sept.) Judge Moreau addressed to the Governor an official Letter, a paragraph of which is as follows – "I must avail myself of this opportunity to mention to your Excellency, that as the City Court is now setting, *it seems to me proper* that your Excellency, should be pleased to appoint a person learned in the Law, to act for the Territory, until Mr. Thomson may arrive, as I am satisfied that an appointment made by the Court *pro tempore* should be irregular;" On the evening of the same day (the 19th) Judge Moreau called at my office, and among other things said, that "there were several Criminal prosecutions pending in his Court, and that the public interest would sustain injury, unless a person was named to represent the Atty. General." In consequence of these applications written and verbal, I did on the afternoon of the 20th Sept. (neither Mr. Duncan or Mr. Robertson having arrived) address a letter to Mr. Benjamin P. Porter, in the following words to wit.

"Sir,

Will you be good enought to represent the Attorney General *in the Parish Court of New Orleans,* and consider this letter as your authority (during the absence of the Atty. Genl.) to prosecute and conduct in said Court all suits in which the Territory of Orleans shall be concerned, & to prosecute all Delinquents for crimes and offences against the Laws."

On the morning of the 22nd September I understand, that Mr. Porter, appeared as the public Prosecutor, But Mr. Ellery, objected to his authority, saying that the right of nomination, was alone in the Attorney General, and the objection was sustained by the Court, and thus, did Mr. Moreau correct an Error which he had (inad-

vertantly) led the Executive to commit. Shortly after their proceedings, Messrs. Robertson & Duncan arrived in this City and by them you have been ably and faithfully represented.

These are the facts, which have been strangely and maliciously perverted, and I am persuaded with views, alike unfriendly to us both. Your resignation therefore will not be accepted until the receipt of this Communication is acknowledged— and in the mean time, Mr. Duncan and Mr. Robertson will continue to represent you.

You still possess my confidence, and I would take pleasure in welcoming your arrival in New Orleans.

Signed, Wm. C. C. Claiborne.

To Dr. David Latimore

Concordia

Your Letter of the 25th Ultimo, received on this morning, encourages me to hope, that a commission as Judge of the Parish of Concordia, which was transmitted you by the last mail, will at least be temporarily accepted. If on the approach of Spring, your absence from the Territory, should (as you anticipate) become necessary to your private Interests, I hope it may not be of such long duration, as to suggest the expediency of resignation; But in any event; the public welfare will in my estimation, be promoted by your acting as Judge the ensuing winter, & I do hope, that on this occasion, you will not withhold from your fellow Citizens, the benefit of your public services. Copies of the Laws of the Territory, including the *Civil Code,* will be forwarded to your, by the first Boat ascending to Natchez.

Signed, Wm. C. C. Claiborne.

To Charles Morgan

N. O. Nov. 6th 1808.

Point Coupee.

I am sorry to perceive, by your letter of the 17th Ultimo, that the Society of Point Coupee, is still devided into parties, and that there should be so much Jealousy between the American and french population. Or to speak more properly between the modern and the ancient Louisianians. I trust however, that these little local divisions, and unfortunate suspicions will soon subside, and that good Men of all parties will unite in restoring harmony & mutual confidence.

As relates to the Sheriff, Mr. Petrony, I can only say, that he came well recommended to me, as a man of honesty, probity and good demeanour; the circumstances of his not having been born "an American", is not considered an objection to him: I certainly feel for my Countrymen, the native Citizens of the U. States, a sincere and ardent attachment, nor is it possible for me, in any situation, or under any circumstances to be unjust towards them. But in my official Character, I can acknowledge no other distinction, between the Inhabitants of this Territory, who by birth or the Treaty of Session, are entitled to the rights of Citizenship, than personal merit. In making appointments therefore, I have been desirous to select the most worthy and the most capable, keeping in view, the expediency of deviding the offices as near as may be, between the ancient and modern Louisianians, as one means of lessening the existing Jealousy and distrust between these two description of Citizens.

As relates to Mr. Petrony, I repeat, he was appointed under an impression that he was an honest man, and would discharge with fidelity the trust reposed in him; If in this I have been mistaken, my confidence will be withdrawn, whenever the same shall be made to appear. But general accusations against an officer, unaccom-

panied with a statement of facts, are not considered as grounds for a removal. The more correct mode of proceeding would be to exhibit specific charges, together with the proof in support thereof; In this way, the Executive, would be enabled to act with the more promptitude, and the more certainty of rendering Justice as well to the party complaining, as to the person complained against.

Signed, Wm. C. C. Claiborne.

To Judge Carr

N. O. Nov. 6th 1808.

Nachitoches.

Your letter of the 21st Ultimo, reached me on this morning, and I shall hasten to lay before the President of the United States, the information it conveys.

The Asylum afforded to fugitive slaves, in the province of Texas has heretofore given rise to several Letters between Mr. Nemesio Salcedo, the Governor General of the Interior Provinces and myself; But on the 9th day of March last, the discussion was brought to a point, which precluded the hope of immediate redress. It is however probable, that in an affair, which has so long been the cause of complaint on the part of the U. States, some special instructions, may have been given by Charles the Fourth, pervious to his abdication, or if otherwise, that pending the contest for the Government of Spain, her Colonial Agents, from the impractibility of a free an full communication with their Superiors, may in the exercise of a prudent descretion, feel themselves at liberty, to resort to such acts of friendship and Justice, as may be essential to the maintenance of a good understanding with the adjoining Territories of the U. States: I am therefore, the more solicitous, to learn the final result of your application, to Mr. Manuel Salcedo, the newly appointed Governor of Texas. In

the mean time the measures of internal police, as relate to Slaves, will I hope be strictly enforced, and on your application to Colo: Shaumburgh he will (in obedience to orders heretofore issued) direct such Militia Patroles, as the actual State of things, may seem to require.

Signed Wm. C. C. Claiborne.

P. S. You acted correctly in recommending to the Citizens, to await with patience for the interference of their Government, and you will be pleased, to continue your exertions to prevent an unauthorised Military Expedition or Enterprise.

Signed, Wm. C. C. C.

To James Madison

N. O. Nov. 6th 1808.

Secy. of State.

In a former letter, I had the honor to communicate the final determination of Mr. Nemisio Salcedo Governor General of the interior Provinces of New Mexico, *not to restore* the fugitive Slaves, who had sought an Asylum in the Province of Texas, prior to a receipt of orders to that effect from the Government of Spain; and I now transmit for your perusal, a Copy of a letter to me, (No. 1) from the Parish Judge of Nachitoches, giving information of the successful elopment in one night of more than thirty negroes, the property of Citizens of this Territory. You have also enclosed, copies of a correspondence (No. 2) between Mr. Carr the Parish Judge, and Mr. Manuel Salcedo, the newly appointed Governor of Texas, and of a letter (No. 3) which on this occasion, I have addressed to Mr. Carr. I need not press Sir, the attention of the Government to these unpleasant occurrences; In the present state of things the property of many of our frontier fellow Citizens are considered as very insecure, and much uneasiness prevails.

Signed, William C. C. Claiborne.

To Gideon Granger

P. M. Genl. N. O. Novr. 7th 1808.

I have the honor to enclose for your perusal a letter received on this morning from Mr. John McDonogh a very respectable Merchant of this City, in which he points out a Course for a New Road from hence to the River Amite in West Florida, which would lessen the present Post Route to Natchez nearly two hundred miles, and greatly facilitate the intercourse (by Land) between this Ty. and the Western & Atlantic States.

I recommend to your Consideration Mr. McDonogh's communication, and take the liberty of suggesting the expediency of your directing the Deputy Post Master at New Orleans, to view the ground thro' which it is proposed the Road to Amite should pass, and to make a report, as to the advantages likely to result therefrom. If Mr. McDonogh is not mistaken in his calculations, the expense to the Government for opening the New Road will in a few years, be more than reimbursed by the consequent reduction in the price of carrying the Mail (alone) between Natchez and New Orleans. Will you do me the favour to acknowledge the receipt of this Letter.

Signed, William C. C. Claiborne.

To James Madison

(Private) N. O. Nov. 8th 1808.

Secy. of State.

At the particular request of the Lady Abbess of the Ursuline Convent, I take the Liberty to ask of you the favor to give the enclosed letters a safe conveyance, particularly the one directed to "Monsieur Pierre Walsh, Agent General des Etats Unis a Montpellior". I also enclose for your perusal, a letter to me from the Lady Abbess, stating the desire of the Nuns to add to their present number and the difficulty, which the Embargo

presents to a passage to the U. States, for some religious Ladies, of Montpellier in France, (and of remitting to them a small sum of money) who would otherwise be disposed to join the community of Ursulines in this City. In the event, that the Embargo is continued, would it be improper to permit Mr. Havens of New York the Agent of the Ursulines to transmit a small sum of Money to Mr. Walsh, by some Vessel, which the Government may dispatch to France, & for the said Vessel on its return to receive as passengers the Ladies desiring to emigrate to New Orleans. The exemplary conduct of the Nuns of this City, has secured to them a great share of my esteem, and their temporal Cares, devoted as they are, to the education of female youth, are of great public utility. Will you be good enough to acknowledge the receipt of this letter; or if your leisure should not permit, will you ask my friend Mr. Graham to do so, and who would also I am Sure, from his knowledge of the amiable Ladies, in whose behalf I write, take any other trouble, with a view to their convenience.

Signed, Wm. C. C. Claiborne.

(Private) N. O. Nov. 8th 1808.

Judge Claiborne

Rapide.

Your several private letters, expressive of your dissatisfaction with your present office, & a wish to be appointed the Parish Judge of Concordia, have been received and read with friendly attention.

I regret sincerely, that your situation at Rapide is so disagreeable, and that for the present, it is not in my power to place you in a more eligible position. I trust and verily believe, that the presentments against you "for extortion and oppression in "office" are without foundation; But pending such accusations, (exhibited as

they have been by a Grand Jury) were you to be named Judge of another Parish, your Enemies might attribute such nomination to an unwillingness *on your part* to meet the charges, and a disposition *on mine,* to arrest further investigation. I repeat, that I do not accredit the accusations against you, nor is my confidence *in your Integrity* diminished. But until time is given for the presentment of the Grand Jury to be enquired into, you could not retire from Rapide with the propriety, I could wish; nor would you (probably) be received in another Parish, in character as Judge thereof, with all that confidence, which you would otherwise, be entitled to. With the best dispositions therefore to serve you, I am sorry, I cannot, (with the approbation of my own Judg'ment) at this time confer on you, the office of Judge of Concordia. That appointment has recently been offered to Doctor David Lattimore, & I have reason to believe, that he will consent to serve for a few months.

Signed, William C. C. Claiborne.

N. O. November 12th 1808.

Messrs. Colcock, Pollock & Price
Wardens of the Port of N. O.

Your memorial, under date of the 7th Instant has been read with respectful attention. The Plan you propose for designating the entrance of the Bayou St. John into the Lake, seems to be an eligible one, and the utility of the measure is such, that I am persuaded, it will be immediately adopted under the orders of the President of the U. States, to whom your Memorial shall be submitted.

Signed, William C. C. Claiborne.

To Albert Gallatin

Secy. of the Treasy. N. O. Nov. 12th 1808.

I have the honor to enclose you a Memorial from the Wardens of the Port of New Orleans, stating the expediency of designating (by lights) the entrance of the Bayou St. John into Lake Ponchartrain, and suggesting a plan, which may (with a very trifiling expense) be immediately adopted.

Signed, Wm. C. C. Claiborne

To A. L. Duncan

Atty. at Law. N. O. Nov. 12th 1808.

I am sorry, it is not in my power to transmit you, the certificate requested in your note of the 9th Instant. In the exercise of the powers vested in me, by the Ordinance of Congress, and the Laws of the Territory, I did on the 17th day of October 1807, revoke the Commission of John W. Smith (which he had previously holden by no other tenure, than during the pleasure of the Governor for the time being) as clerk of the Superior Court for the 1st District—nor has he since, had authority, under the Law, to perform the Duties of Clerk.

Signed, Wm. C. C. Claiborne.

To Gov. Grand Pre

Baton Rouge. N. O. Nov. 13th 1808.

In reply to your Excellency's letter of the 11th Instant, I have the honor to state, that the President of the United States being informed, "that the Territory possessed by Spain on the River Mississippi, had been violated by Military officers of the United States, who took therefrom by force, several persons, who had deserted into that Territory, orders were issued for the immediate reparation of the wrong committed, by re-

placing the individuals in the situation whence they were forcibly taken"; and that the President had further directed enquiries to be made into the circumstances of the case, with a view to ascertain the culpability of the parties of the transaction."

Your Excellency will recognize in these *orders,* a high proof of the President's respect for the Jurisdiction of a friendly Nation; and *they* will I trust, impress the Government of Spain and its Agents with corresponding dispositions of Justice and friendship towards the United States.

I avail myself of this occasion, to renew to your Excellency, the assurances of my great respect and high consideration.

Signed, Wm. C. C. Claiborne.

To the Officer Commanding the U. S. Navy stationed at N. O.

(Private) N. O. 10th of Nov. 1808.

John Baptist Macarty[1] Esqr. Colonel Commandant of the 4th Regiment of Militia, and a Member of the Legislative Council of this Territory, died on this morning. This excellent Citizen and faithful officer will be buried on Tomorrow in the forenoon with Military Honors; the present state of the Territorial Militia, will not enable me from that source alone, to render the ceremony as solemn as I could wish, or as much so as the merits of the deceased require. May I therefore ask of you the favour to order that minute Guns be fired by some one of the U. States armed Vessels now in this port, from the time the Corps shall leave the church (where in the first instance, according to the Custom of the

[1] Macarty had been a supporter of the administration from the beginning and his death was a loss to the cause of good government.

Catholicks it will be carried) until it shall have reached the Grave. In making this request, I hope, there is nothing improper or contrary to any prescribed Rules for the Navy Department. If my memory serves me right, on the death of a distinguished Citizen in New York, a few years past minute Guns were fired by several Vessels of war, then lying in the Harbour.

Signed, Wm. C. C. Claiborne.

P. S. The Corps will probably be taken from the Church, about 11 O'clock; But the time, for the commencement of firing, you will doubtless find it most convenient to arrange by signal.

Signed, Wm. C. C. C.

A. L. Duncan N. O. Nov. 14th 1808.
Atty. at Law.

In answer to your Note of the morning, I have the honor to inform you, that Mr. Martin Gordon has been appointed and duly commissioned by me Clerk of the Circuit Court for the 1st Superior Court District.

Signed, Wm. C. C. Claiborne.

To James Madison

N. O. Nov. 14th 1808.

Secy. of State.

Your letter of the 12th Ultimo (covering copies of the orders of the Secretary's of War and of the Navy, relative to the deserters which had been forcibly taken from the District of Baton Rouge) has been received; and in reply to a late letter from Govr. Grand Pre, in which he expressed a solicitude, to learn the orders of the President, relative to that *transaction.* I did on the 11th Instant, make him a Communication of which the enclosure marked (A) is a Copy.

Enclosed is a Memoire on the subject of the Batture, which will be found worthy of your perusal; I shall also

transmit you in a few days Mr. Darbigny's Response to Mr. Du Ponceau; *It* is now in the Press, & said to be an able performance. Judge Moreau Lislet is also engaged in investigating the claim of the United States to the Batture, and has promissed to furnish me, with the result of his Enquiries, which shall be transmitted to you.

This Territory has recently sustained a great loss, in the death of Colonel John Baptist Macarty a Member of the Legislative Council; he was sincerely attached to the Government, & zealously and honestly supported the Interest of his Country; Colo: Macarty would probably have been elected the Delegate to Congress, for the ensuing two years— such seemed to have been the general opinion; but it is now difficult to name the Citizen who may be selected— perhaps either Mr. Poydras the President of the Council, or by Mr. Urquhart, Speaker of the House of Representatives: One thing, I believe, is certain, that Mr. Clark will not be re-elected.[1]

Signed, Wm. C. C. Claiborne.

Wardens N. O. Nov. 16th 1809.
of the Port of N. O.

I will thank you to peruse the enclosed petitions, and to favor me with your opinions thereon. Four Branch Pilots are in Commission & I am unwilling to encrease the Number, unless indeed the public Interest should require.

Signed, Wm. C. C. Claiborne.

To Commodore Porter

N. O. November 16th 1808.

Your Letter of yesterday has been duly received. I well recollect, that complaint of the outrage, to which you allude, was made me; but the name of the person com-

[1] Julien Poydras succeeded Clark. Poydras was friendly to the administration.

plaining, (who was immediately refered for redress to the commanding officer of the Navy) has altogether escaped my recollection: It is probable, however that this fact, may be ascertained by a perusal of the Report of "Lieut. James Leonard, and the acting sailing Master Williamson," and if so, I will thank you to give me the name of the injured Citizen, and he shall be forthwith notified of the day appointed for the Trial of the Offenders.

Signed, Wm. C. C. Claiborne.

Mayor of New Orleans

N. O. Nov. 17th 1808.

The "Shoal" commonly called the Batture, in front of Suburb St. Mary, has considerably augmented since the last year; How far this encrease may be attributed to the works raised on the Batture, previous to the last rise of the Mississippi, is well worthy of Enquiry, and I should be happy to learn your opinion. I must also ask of you the favour, to cause to be ascertained, as near as may be the extent which the Batture has gained since Mr. Livingston was removed therefrom, which was on the ——— day of January 1808. The traces of the Levee made by Mr. Livingston are perfectly visible, and the Batture without the same, has for the most part recently arisen. Alluvion is described to be "a latent, imperceptible addition or accretion make along the Sea Shore or the Banks of Rivers." The quantity of the ground gained by the Batture & the time during which it is gaining become therefore an Enquiry of importance: It would seem however that the Lawyers of Philadelphia, who have given opinions so favorably to the claim of Mr. Livingston, had no Idea, of the very considerable accumulation which of late years the Batture had acquired. I find that Messrs. Tilghman and Lewis, thought it "hardly

necessary to consider, on what Law the *right* of *Alluvion, in the legal sence and meaning of the word,* between the 1st October, 1808, when Louisiana was ceded by Spain to France, and the 30th of Apl. 1803, when it was ceded by the latter to the United States, *depends;* since the accumulation or recovery of Soil from the River, between these periods, could not have been so sufficient in height to be capable of separate appropriation, and the object of distinct property from that of the first Land." With what surprise therefore, will these Gentlemen learn, the great encrease of the Batture, within the last year, and that the newly make ground is as high, if not higher, than any other.

Your answer to this letter, will be transmitted to the President, and I will thank you to accompany it, with a Plat of the Batture, on which will be distinctly laid down, the portion lately acquired.

Signed, Wm. C. C. Claiborne.

To A. L. Duncan

N. O. Nov. 19th 1808.

Atty. at Law.

A cause having been determined in the Superior Court, where the Mayor, Aldermen, and Inhabitants of the City of New Orleans, were Plaintiffs and R. D. Shepherd Defendant and by which decision the right of the Corporation to impose a warfage duty becomes involved, I feel desirous to learn the Reasons, which influenced the Court; and having understood, that you supported the Cause of the City, I take the liberty of intruding so far on your goodness, as to request of you, a Report of the Case.

Signed, Wm. C. C. Claiborne.

To Judge Carr

N. O. Nov. 22nd 1808.

I avail myself of this occasion, to acknowledge the receipt of your *letters* of the 27th of October, and 9th of November together with their inclosures; but the *one* committed to the care of Colo: Hopkins, to which you refer in you letter of the 9th has not reached me.

The unfriendly conduct of the Spanish Agents, is well calculated to excite the Resentment of *our injured fellow Citizens,* nor is it a matter of Surprise, that in the moments of irritation, *they* should have contemplated those projects of attack and retaliation which you suggest; I trust however, that the good Inhabitants of Nachitoches, profitting of your correct Councils, will repose with confidence on the Justice of their Government, and will patiently await such means of redress, as the President of the United States shall prescribe. In the mean time, I have esteemed it my duty, to make an effort, to obtain some reparation for the wrong, and to demand the immediate restoration of the fugitive Slaves; Such is the object of the letter to Governor General Salcedo herein inclosed, and which, you will be pleased to transmit by Express, to the Commanding officer at Nacogdoches, with a request that it may be forwarded from thence without delay.

Signed, Wm. C. C. Claiborne.

To Gov. Genl. Salcedo

New Orleans, Nov. 22nd 08.

The late escape of forty slaves, the property of Citizens of the U. States, residing at or near the Post of Nachitoches, to the Territory committed to the care of your Excellency, imposes on me a duty to demand the immediate restoration of these fugitives, to the order of

their Masters, or to the Judge of the Parish of Nachitoches.

To the Citizens of this Territory, whose extensive fields are exclusively cultivated by Negroes, the protection afforded in the Province of Texas to fugitive Slaves, has become a source of great and serious concern, nor indeed is it easy to reconcile *such protection,* with that friendly dispostion towards the United States, which your Excellency professes to feel. On a subject, which has so long been a cause of complaint, on the part of this Government, I persuade myself, your Excellency has received the orders of your Superiors; But if in this hope, I am disappointed, I nevertheless trust, that your Excellency, in the exercise of a prudent discretion, may, on this question, feel yourself at liberty to pursue a course of conduct, which a due regard to the just claims of a friendly and neighbouring Government shall prescribe.

I beg leave Sir, to accompany the demand, I now make of reparation for the wrong offered, by the immediate restoration of the fugitive slaves, *with a declaration of my willingness,* to restore in my turn, such slaves, the property of Spanish subjects, as may escape to the Territory of Orleans over which I have the honor to preside. I am aware Sir, that in the Provinces committed to the Government of your Excellency, the number of Slaves is very inconsiderable; But my proposition is nevertheless, bottomed on a principle of reciprocal Justice; and I will add Sir, that the subjects of Spain in East and West Florida, who are holders of many negro slaves, experience almost daily, that same evidence of friendship from the Government of this Territory, which I solicit of your Excellency.

I feel a sincere desire to conserve that good understanding which has hitherto happily subsisted between our respective Governments, & I shall receive with much

pleasure a proof of a corresponding disposition on the part of your Excellency.

I avail myself of this occasion to renew to your Excellency the assurances of my high and respectful consideration.

Signed, Wm. C. C. Claiborne

To Gov. Genl. Salcedo

(Private) N. O. Nov. 22nd 1808.

Believing from your remote situation, that you may not be regularly advised of the interesting Scenes now passing in Europe, I take pleasure in enclosing for your perusal a few, copies of the latest Newspapers. The gallant opposition made by Spain to the ambitious views of Bonaparte commands the admiration of the brave, and interests in her favour every good and virtuous man.

I pray God to preserve you many years, in health and happiness.

Signed, Wm. C. C. Claiborne.

(Circular) N. O. Nov. 22nd 1808.

Parish Judges.

The late escape of a number of Negroes from Nachitoches to the Province of Texas, where it is understood, they are protected by the Spanish agents, suggests the expediency of enforcing the measures of police as relate to slaves, and of maintaining regular Militia Patroles, which will (on your application) be ordered by the officer commanding the Militia of your Parish.

Signed, Wm. C. C. Claiborne.

To Wm. Brown

Collector. N. O. Nov. 22nd 1808.

The enclosed Petition, is recommended to your consideration. The Petitioners are Inhabitants of Attakapas, and Men of character; Mr. Prevost in particular is

known to me, as a man of the strictest integrity, and he assures me, that the flour proposed to be ship'ed for *Attakapas,* is designed solely for the consumption of our fellow Citizens of *that* and the adjacent County of Opelousas. The *Schooner,* in which the Flour is to be shipped has been engaged in trading between New Orleans and Attakapas for several years past; and *is* owned and navigated by Citizens of Attakapas. I give it to you therefore as my opinion, that you may safely clear out this Vessel with the Cargo desired, upon taken the securities required by Law. I mentioned to Mr. Prevost, that there would be no objection, to the clearing out of his Vessel with the Cargo of Flour, provided an Inspector of the Revenue was placed on Board, and the persons concerned in the cargo would consent to pay the wages and defray the expenses of the Inspector; But he thought this a hard condition, and the more so, since the Flour was not designed for speculation, being already for the most part engaged for the use of several Farmers; Mr. Prevost adds, that he is not certain that four hundred Barrels will be shipped, permission for that quantity is solicited, under an impression, that it will give to every Inhabitant of Attakapas now in this City, an opportunity to ship (by the present good conveyance) as much flour, as he may want for his own use, or that of his friends.

Signed, Wm. C. C. Claiborne.

To P. Grymes

N. O. Nov. 23rd 1808.

Atty. Gen. U. S.

In a letter from Governor Folch of Pensacola, bearing date the 29th Ultimo, he states "that Juan Villier a Spanish subject navigating for this Place (Pensacola) from Chifonte, and the Bearer of Letters for the officers of the Sanish Government, was, with his Boat, made a prize of by Gun Boat No. 4 already near the Regolese".

Governor Folch professes to be ignorant of the motive which has led to this "*act of hostility*" as he is pleased to term it, and informs me if "the Correspondence, which was on board of said Boat be opened by the authorities of the U. States, that the Spanish Government will retaliate this proceeding, by ordering the opening of all letters transmitted thro' the Territories of his Majesty, belonging to the U. States."

I am already apprised, that the Boat alluded to, was seized for a violation of the Embargo Laws, and that as relates to the letters, nothing improper has been done; but as this transaction falls more immediately under your official notice, I would thank, you to give me such explanation as will evince the President to whom copies of Governor Folch's letter and my answer will be transmitted, that there has been no cause of complaint on the part of the Spanish authorities.

Signed, Wm. C. C. Claiborne.

To James Madison

N. O. Nov. 24th 1808.

Secy. of State.

Mr. John C. Carr, the Parish Judge of Nachitoches, advises me by letter, bearing date the 9th Instant, that the fugitive Slaves had all arrived at Nacogdoches, and the Provincial Governor, had repeated to him (Mr. C.) "the old Story", that "such measures would be adopted as would tend to perpetuate that harmony &c, the existence of which, is so essential to the interest of both Nations"; but the slaves were nevertheless detained.

The public resentment at Nachitoches, is said to be considerable; Mr. Carr does not apprehend, "that the Creoles will commit any extravagance, at least for the present"; but is not equally sure of our Countrymen in that quarter". The enclosure No. 1 is a copy of my last letter to Mr. Carr, and that No. 2 of a letter I have addressed to Governor General Salcedo.

We have to day information of a recent Revolution in Mexico; the Vice Roy with several of his partisans are said to have been imprisoned, and the Government administered provisionally by a "Junta" established in the City of Mexico: It is added, that this "Junta" has proposed to the people of Havanna to shut their Ports permanently against the Americans (who by a continuance of the Embargo had evinced hostility to Spain) and ample supplies of provisions should be furnished them from Vera-Cruz. The imprisonment of the Vice-Roy may probably have taken place; but the proposition to the people of Havanna, I suspect originated in this City, and is one among the various means devised to prejudice the minds of our Citizens against the Embargo Laws, for Breaches of which, several Vessels in this Port and a quantity of Merchandise are now under seizure.

The enclosed (Marked A) is a Copy of a correspondence between the Mayor of New Orleans and myself, relative to the extent, which the "Shoal" or Batture in front of the Suburb St. Mary has acquired since January last, & the great injury which the temporary works thrown up by Mr. Livingston has already done the Port of New Orleans. I particularly recommend your attention to the Mayor's statement; it shews how important it is to the Interest of this City, to prevent the enclosing and embanking of this Batture.

I also transmit for your perusal, a Copy of Mr. Derbigny's response to Mr. Du Ponceau's Memoire.

Signed, Wm. C. C. Claiborne.

To Wm. Brown

N. O. Nov. 26th 1808.

Collector.

Your letter of the morning is now before me. From the Representations of Mr. Prevost and other Citizens of Attakapas, in whose veracity I confide, it seems to me,

that a supply of flour from three to four hundred Barrels, would not be more than sufficient, to meet the present demand in Attakapas and the adjoining County of Opelousas, nor do I believe, any design exists, on the part of the applicants to violate the Embargo Laws.

Signed Wm. C. C. Claiborne.

To Wm. Brown

N. O. Nov. 28th 1808.

Collector.

The enclosed note to me, is transmitted for your perusal, and I take the liberty of recommending Madam Collell to your *just liberality*. The statement made by Madam Collell relative to her place of nativity, the marriage of her Daughter, residence and ill State of health is, (doubtless) correct; In the exercise therefore of that prudent discretion, with which in cases of this kind, you are vested, you will not, I am sure, be censured by our superiors, if you should grant the request of this good Lady.

Signed, Wm. C. C. Claiborne.

To Commodore Porter

N. O. Nov. 30th 1808.

I enclose for your perusal, a translation of a letter, which I have received from Governor Folch of Pensacola; In my reply, I have said, among other things, that "the officer commanding the Navy on this station, does not admit, that an insult, as is stated, has been offered by a Vessel of the U. States, to a Vessel of his Catholic Majesty"; I felt myself authorised, thus to express myself from the verbal account of the affair which you gave me the other day. But in as much as a Copy of my correspondence with Govr. Folch will be transmitted by the

ensuing Mail, to the President, I would wish it to be accompanied, with an explanation of the transaction; and which if you will furnish me, I will take pleasure in transmitting.

Signed, Wm. C. C. Claiborne.

To Gov. Folch

N. O. November 30th 1808.

The Boat alluded to in your Excellency's letter of the 29th of October, was brought to in Lake Pontchartrain by an armed Vessel of the U. States, and has been sent into the Port of St. John, charged with violating the Acts of Congress, relative to the Embargo. The serious Indisposition of the Judge of the District of Orleans, necessarily suspended the sessions of the Court, & has occasioned a delay in the Trial of this case, which I the more regret since the private letters and papers found on board of said Boat, will be detained for such order respecting them, as the Honorable Judge, may in his wisdom direct. The Attorney of the U. States, for the District of Orleans, with whom these papers and letters, were temporarily deposited, having observed among the latter, one addressed to your Excellency, and which alone had the appearance of an official Dispatch, caused it to be immediately delivered to Captain Videl of the Spanish Army, for the purpose of being forwarded to Pensacola. I have entered into this Detail, in order to shew, that this proceeding affords no just grounds for irritation, and that the Commission of "an act of hostility" will alone attach to your Excellency, if indeed, the Mail of the United States on its passage thro' the Florida's should experience the violence which has been threatened.

As relates to the complaint exhibited in your letter of the 15th of the present month, I sincerely wish your Excellency had been enabled to present me with a more

particular account of the transaction. The officer commanding the Navy on this Station, does not admit, that an insult, as is stated, has been offered by a Vessel of the U. States, to a Vessel of his Catholic Majesty; I however, shall lay your letter before the President, who can alone afford reparation for any wrong which may have been committed.

I cannot conclude, without taking exception to the stile, in which your Excellency has thought proper to address me; The Language of Menace is at all times unpleasant, and on the present occasion, cannot possibly produce a good effect. The United States Sir, no less disirous to conserve the friendship of Spain, than that of the other Nations of Europe, have prescribed for themselves a course of conduct, which wisdom suggested, and Justice approves; From that course, they will not be diverted, either thro' fear of the Powerful, or from a disposition to be unjust to the unfortunate. Whilst therefore on the one hand, no misfortune, that has or may befall *Spain,* will envite aggression, so on the other no accumulation of her strength, will be, to the American Government a cause of apprehension.

I beg leave, to tender to your Excellency assurances of my high and respectful consideration.

Signed, Wm. C. C. Claiborne.

To the Mayor

N. O. Decr. 3rd 1808.

Will you be pleased to pay Mr. John Vassant out of the fund arising from the rent of the Buildings of the U. States, now occupied by Mr. Bradford and Mr. Stringer the sum of seventy dollars, which is due Mr. Vassant, for certain accounts for necessary repairs lately done to the Government House, and which accounts, he (Mr. Vassant) has paid.

Signed, Wm. C. C. Claiborne.

N. O. Decr. 4th 1808.

Judge Rd. Claiborne.

I have the honor to enclose you a writ of election, which you will cause to be duly executed.

Signed Wm. C. C. Claiborne.

To Samuel H. Smith

(Private) N. O. Decr. 4th 1808.

Washington

I enclose you a draft on the Secretary of War for twenty nine Dollars and sixty two cents which (when payd) you will be pleased to pass to my credit.

In the interior of this Territory, the most perfect tranquillity prevails, and the People are becoming every day, the more attached to the Government in the City of New Orleans, there exists a strong remnant of the Burr *faction;* But *its influence* is evidently on the decline. You will perceive, by our News-papers, that our Superior Court, has lately presented scenes of disorder, and that Mr. Workman, formerly a Parish Judge, and who was charged with being an accomplice of Burr, has very deservedly been expelled the Bar.[1]

The proceedings of Congress will be highly interesting, and in my view, highly honorable, if the wise course heretofore adopted should be firmly adhered to until the Nations of Europe are disposed to be just to the U. States.

It will always afford me pleasure to hear of your prosperity and happiness in life.

Signed, Wm. C. C. Claiborne.

P. S. You will much oblige me, if you would collect for me the communications made to Congress, during the

[1] Workman gave his side of the case in an open letter printed in 1807 and entitled "A Letter to the respectable citizens, inhabitants of the Country of Orleans."

last session by the President, touching our foreign Relations, and have them handsomely bound in one or more volumes; the favour will be enhanced, if you would enclude also, the communications upon the same subject, which may be made by the President during the present session. The expense of this collection, I will cheerfully pay to your order, or if more convenient, I will remit it to you at Washington. The Books may remain in your hands, until some vessel may be coming from Washington to New Orleans.

I have sent you by mail, a very interesting pamphlet on the Batture cause, & which case, may probably become a subject of discussion in Congress.

Signed, Wm. C. C. C.

To Henry Dearborn

N. O. Decr. 4th 1808.

Secy. at War.

I have this day drawn upon you a Bill for twenty nine dollars and sixty two cents, payable at ten days sight to Samuel H. Smith or order; This Bill covers a small expenditure, which I incured for the Indian Department in the year 1806, as will appear from the vouchers enclosed; The account being so inconsiderable, is the reason, why it has so long remained unpresented; but I hope this circumstance will present no obstacle to its payment.

Signed, Wm. C. C. Claiborne

To Sam. Hamilton

N. O. Decr. 5th 1808.

I am honored with your note of the morning. The complaint against the persons to whom you allude, was made me verbally, and the complainant was immediately refered for redress, to Captain Leonard who at the time commanded the Navy on this Station. I took no mem-

orandum in writing of the transaction, and af sorry to add that the name of the Citizen complaining has entirely escaped me.

Signed, Wm. C. C. Claiborne.

To James Mather

Jam. Mather Senr. N. O. Dec. 6th 1808.
Mayor of N. O.

I enclose for your perusal a petition from several officers of the 1st 2nd & 4th Regiments of Militia, who are subject to the performance of patrol duty in New Orleans, nor do I doubt the disposition of yourself and the City Council, to afford them such accommodations, and indulgencies, as a just and liberal policy shall suggest.

Signed, Wm. C. C. Claiborne

To Col. H. Hopkins

(Private) N. O. Dec. Dec. 8th 1808.
Colo: H. Hopkins.

I congratulate you on your change of situation, and sincerely wish that yourself and amiable Lady, may enjoy long and happy lives.

My opinion is, that your Interest will be promoted, by the purchase of a Plantation, and turning your attention to the culture of Cotton, nor do I know a more desirable part of the Territory for a permanent residence than Point-Coupee. So soon as your annual Income shall be equal to six thousand dollars, I would advise that you pass your winters in New Orleans, and indeed at an earlier period, if the political views I once suggested to you, should be suited to your turn of mind; At your period of life, with the improvements you have already acquired, united to the independence of your present pecuniary resources, it is in your power, to become a most useful member of society! I admire that ambition which aspires to the esteem of after ages for good

and virtuous actions; I persuade myself that you are possessed of that species of ambition, and that you will render eminent services to your Country; But you must prosecute your studies with great assiduity, for you will recollect, that no man ever yet stood high in the Roll of fame, without having previously stored his mind with useful knowledge.

Our Superior Court has recently exhibited Scenes of disorder, and Workman has very deservedly been expelled the Bar; A motion for the expulsion of Daversac also is now pending, and the general opinion is, that it will be sustained. I believe, my old and inveterate Enemies of this City, are solicitous to injure me at the seat of Government, but I am under no apprehensions as to the success, of their efforts. A late News-paper Writer, has reminded the Louisianians, of the Character given them in a letter to the President in Jany. 1804, and which letter was attributed to me. I am happy to find, that my enemies can exhibit no other charge, and really this has been so often adduced, that the people must be tired with the repetition; permit me however to say to you that whatever may have been my first impressions, with respect to the Louisianians, is now a matter of no consequence; I have long since found them, to be a most virtuous, amiable people, nor is there a Man in existence, who has more at heart their political happiness and welfare.

Present me respectfully to your Lady— and believe me to be

Sincerely your friend
Signed, Wm. C. C. Claiborne

N. O. Decr. 9th 1808.

Peter Fouche Esqr.

Desirous of availing the public of your services, as Colonel of the fourth Regiment of Militia, I have the honor to enclose you a Commission & to subscribe myself

&c.

Signed, Wm. C. C. Claiborne.

To James Madison

N. O. Dec. 9th 1808.

Secy. of State.

The enclosures No. 1 & 2 are letters I lately received from Governor Folch, and that No. 3 a copy of the answer I have returned. Governor Folch in these communications has discovered an irritability of temper, which the occasion did not call for, nor could I avoid taking exception to the stile in which he thought proper to address me. The Embargo, always disagreeable to our neighbours of Pensacola, has of late become particularly obnoxious to them; Some base men, in this City, have stated the measure to have been adopted by our Government on the demand of Bonaparte, and that it is now adhered to, principally with a view to the injury of the Spanish Patriots. Writings to this effect, published (originally) in this City in the Spanish Language, and sent to Pensacola, have from thence found their way to Havanna, Vera-Cruz, and the City of Mexico, and have made (as is stated to me) an unfortunate impression.

You will perceive by the newspapers that our Superior Court has recently exhibited scenes of some disorder, and that James Workman (formerly an accomplice of Burr's) has very deservedly been expelled the Bar; I regret exceedingly, that the District Attorney, (Mr. Grimes) should have been involved in so disagreeable an affair. But in this City, where all the facts attending

the transaction are well known, Mr. Grimes, is not censured by the friends of the Government.

An English Ship has arrived in the Mississippi; it is designed, that she should pass to Mobile, and there be loaded with Cotton, taken from the District of Baton Rouge; if this is permitted, it will be difficult to prevent much of the Cotton, the growth of the Territories of Orleans and Mississippi, from passing the same Route: But I presume the Collector (Mr. Brown) has written fully on the subject to the Secy. of the Treasury, and pointed out the many evasions of the Embargo, which shall probably ensue.

Signed, Wm. C. C. Claiborne.

To Henry Dearborn

N. O. Decr. 9th 1808.

Secy. at War.

Your letter of the 29th October, communicating the orders of the President "that I should take effectual measures for having eight hundred and seventy three Militia of the Territory of Orleans detached, and duly organized into Companies, Battalions and Regiments, and holden in readiness to march at a moment's warning", did not reach me until the morning of the 7th Instant. Will you be pleased Sir, to assure the President, that all my efforts shall be used, to meet his instructions in their fullest extent; I fear however, that I shall not be enabled to have the detachment armed and equiped as required, until the Territorial Legislature, shall make provisions to that effect, which I am persuaded they will do, at an early period of their next Session, which commences on the 8th day of January next.

Signed, Wm. C. C. Claiborne.

To Thomas Jefferson

(Private) N. O. Decr. 8th 1808.
President U. S.

Your letter of the 29th of October has been received, and its enclosure delivered to the Gentleman to whom it was directed. Mr. Reibelt is certainly a very learned Man and as far as I know a very honest one; But he is illy calculated to fill an office under a Republican Government, nor indeed do I know any situation in which he could be so useful to society, as in character of an Instructor of youth; But in that pursuit, altho' earnestly solicited by me, Mr. R. has hitherto refused to engage.

The Spanish paper I enclosed you, & others of a like cast (originally printed in this City) have been republished not only in Havanna, but in the City of Mexico, and made I am told an unfortunate impression. I have communicated (verbally) to a few Spaniards of respectabiilty, the wishes of the administration, as relate to the affairs of their Nation, and I beg you to be assured, that nothing shall be wanting on my part, to counteract the views of these base men, who would wish to render Spain hostile to our Country.

On the 9th of January the Legislature of this Territory will be in Session and in eight days thereafter, my Commission as Governor will expire; If on this occasion, it should meet the views of the administration, to continue to me the trust, with which I am at present honored, such further proof of confidence will be gratefully received and merited if in my power.

I regret very sincerely the peculiar difficulties, which Governor Williams, has had to encounter;[1] Several of my political friends of the Mississippi Territory and among the number, my elder Brother Colo: Claiborne, early became the enemies of Governor Williams. With-

[1] See administration of Robert Williams, Encyclopedia of Mississippi History, Vol. II, p. 974.

out enquiring into the cause of difference, I used every effort to dissuade my Brother (with whom I could alone take the liberty) from engaging in, or countenancing the opposition to the Governor; but he did not think proper to yield to my advice. I owe it to myself Sir, to acquaint you of the fact, because I learn that it has been suggested to the Heads of Departments, that the parties in the Mississippi Territory, were encouraged by me. I declare to you, that such suggestion is without the smallest foundation; I never entertained a design or a wish hostile to the political fame or advancement of Gov. ernor Williams; on the contrary I sincerely wished him a long and honorable career in Life.

Signed, Wm. C. C. Claiborne.

To the Judge Advocate

Darrah Esqr. N. O. Dec. 13th 1808.

I am honored with the receipt of your note of yesterday.

Will you be good enough to inform the Court of Enquiry, that I have addressed a letter to Judge St. Martin, requesting him to forward testimony, in support of the Statement made in his letter to me of the 15th October last, and that I expect on tomorrow to receive his answer; lest however, my letter to the Judge may have miscarried, I write again this day on the same subject, and have therefore to request, that the proceedings of the Court of Enquiry, may not be closed previous to thursday evening; In the mean time, I pray you to lay before the Court the enclosed communication to me from Judge St. Martin, from which it will appear, that the charges against Midshipman Jones, rest on the information I have received from others, and not from any knowledge of my own.

Signed, Wm. C. C. Claiborne.

To Capt. Wilson

N. O. Dec. 13th 1808.

Comg. officer at Plaquemine.

Having understood that the Spanish Schooner, "Amiable Annetto", coming from Pensacola, with two negro slaves on board, was detained at the Fort of Plaquemine, I have to request, that you would permit the passengers with their personal Baggage only, to be landed; this being done, it will be advisable to order the Vessel to depart immediately, with the Slaves on board, without the Jurisdiction of the U. States.

Signed, Wm. C. C. Claiborne.

To the Judge Advocate

Darrah Esqr. N. O. Decr. 15th 1808.

Judge Advocate.

I now transmit you the Deposition of Mr. Picou, which has been furnished me, by Judge St. Martin, in support of the charges exhibited against Midshipman Jones, and must ask the favour of you to lay the same before the Court of Enquiry.

Signed, Wm. C. C. Claiborne.

To Wm. Brown

N. O. Decr. 16th 1808.

Collector N. O.

The enclosed Memorial signed by many respectable Citizens of Attakapas (and the facts therein Stated by the Parish Judge) is transmitted for your perusal.

There is no room to doubt, but the scarcity of provisions in Attakapas is as great as is represented, nor ought the people to be prohibited, the importation of a sufficiency of Flour for the consumption; I therefore advise and request, that in addition to 350, barrels, which I understand was exported the other day, from hence to Attakapas, that permission be granted for the further exportation of one hundred Barrels.

Signed, Wm. C. C. Claiborne.

To Judge Moreau Lislet

(Private) N. O. Dec. 16th 1808.

In acknowledging the receipt of your letter of the —— Instant, I have to acquaint you, that Mr. Godefroy has been appointed to the Notarial office, which became vacant on the death of Mr. Van Pradelles: Mr. Godefroy's pretensions were supported by the *particular friends* of the deceased, nor could I resist those feelings of Benevolence which influenced their recommendation. It is with regret that I am apprised of your wish, to retire from the Bench; It would be difficult to supply your place; of one fact I am assured that I could not find in this City, an individual, who would discharge the duties of Parish Judge, with more fidelity, Integrity and ability than yourself.

Signed Wm. C. C. Claiborne

To Col. Bellechasse

N. O. Dec. 17th 1808.

I beg leave to accompany my acceptance of your resignation as Colonel of the 1st Regiment of Militia, with a tender of my thanks for your faithful public service, and assurances of my great respect & sincere esteem.

Signed Wm. C. C. Claiborne

To Maj. Labatut

N. O. Decr. 17th 1808.

Desirous of availing the Public of your services as Colonel Commandant of the 1st Regiment of Militia (in the place of Colo: Bellechasse resigned) I have the honor to enclose you a Commission, and to subscribe myself — &c.

Signed, Wm. C. C. Claiborne.

To Paul Lanusse

N. O. Dec. 17th 1808.

Desirous of availing the public of your services as a Major of the 1st Regt. of Militia (in the place of Major Flood resigned) I have the honor to enclose you a Commission, & to subscribe myself &c.

Signed — Wm. C. C. Claiborne

To Albert Gallatin

(Private) N. O. Dec. 14th 1808.

Secy. of the Treasury.

The death of Mr. Van Pradelles has left the office of Register of the land office for this District vacant; On this occasion, I am told, that Judge Lewis, and Mr. Grymes the District Attorney will both be recommended to the President; of these two Gentlemen, I cannot but think Mr. Grymes has the strongest Claims for preference. Mr. Lewis is already a Commissioner and a Judge of the Superior Court; his duties as Judge require him to visit twice in each year, the several Districts of the Territory, and if such duties be continued and faithfully discharged, *those* of Register (which I understand to be a permanent appointment) must necessarily be neglected. Mr. Grymes on the contrary is stationary in New Orleans, and seems to me to merit the further patronage of the Government; the salary and perquisites of his present office are not equal to his support; formerly the *appointment* of Agent for land Claims, with an allowance of fifteen hundred dollars per annum, was united with that of District Attorney. But the Agency is retained by Mr. Brown the late District Attorney, and Mr. Grymes is left with a salary of six hundred dollars per annum, and the perquisites of office, which are very inconsiderable. Should however, it be considered as a respect due to the present Board to select for Register one of its

present Members, I in that case, will recommend Mr. Robertson, whose duties as Secretary will not interfere with those of Register, and in case, of his nomination, I should recommend Mr. Grymes as the third Commissioner; In the event however, that it be deemed improper, or incompatible to appoint the District Attorney Commissioner, permit me to mention Mr. Thomas B. Johnson formerly of the City of Washington, as deserving the President's confidence; the conduct of Mr. Johnson, since 10 months that he has resided in New Orleans has been exemplary; he is attentive to business, and extremely correct in his deportment. So great is my confidence in the prudence and discretion of Mr. Johnson, I at one time designed to recommend Mr. Johnson for the office of Register; But I have since learned, that the Register takes precedency at the Board, & it might be a source of some mortification to the elder commissioners, that so *young a man* should preside; But it is not believed, that an exception would be taken to his being named a Commissioner.

Signed, Wm. C. C. Claiborne.

To Wm. Kenner

(Private) N. O. Decr. 22nd 1808.

I have received your letter of the 18th Instant.

I do not think, the Newspaper attack on Mr. Duncan, is calculated to do him injury, since the circumstances attending the transaction, which I presume is alluded to, are too well known to yourself and other of his friends, for any injurious misrepresentation to pass uncontradicted. But I have no objection, for your further satisfaction, to state in writing, what I have already communicated to you verbally, that "in June 1803, when Governor of the Mississippi Territory, I did *from considerations of political expediency* remove Mr. Duncan from

the office of Attorney General for one of the Districts of said Territory; His opinions of public Men and public measures were not at that period in unison with my own; and I thought proper to confer the office of Attorney General on another Citizen. But in Mr. Duncan's *integrity and love of Country* (however we may differ in some political points) I have always confided, and notwithstanding his removal as Attorney General, I did in the month of October of the same year (1803) confer on him the command of a Battalion of Militia, which was ordered into the public service and was on duty in New Orleans, at the time of the delivery of Louisiana to the United States. This *explanation* may probably be construed as an innovation on a rule, which the Executive authority has prescribed for itself not (publicly) to assign reasons for the removal of an officer; But it is nevertheless given, to be used as your discretion shall suggest; I must however here express a wish, that it may not hereafter be quoted as a precedent.

The people of the United States well know how to appreciate News-paper attacks, and I should suppose, that by this time, such attacks can receive but little consideration in this Territory; a man's reputation must indeed be very brittle, if it can be distroyed by a paper war, for of late years the press has assailed so indiscriminately the members of society. Attacking alike the worthy and the *worthless,* that even as to the *latter,* it has in a great degree become harmless.

Signed, Wm. C. C. Claiborne.

To Masters & Wardens of the Port of N. O.

N. O. Dec. 22nd 1808.

Mr. Thomas Pollock, signing himself Commander pro tem: of the Revenue Cutter Louisiana, and sundry Captains of merchant Vessels, have certified in writing, that

"they have examined the canal constructed and nearly completed by Edward Livingston, on the Suburb St. Mary, and have given an opinion, that the said canal when completed, will be of the greatest use in commerce, by affording a convenient Birth for *ships* and other vessels, and that similar canals constructed along the whole front of the said Suburb, particularly when Stores shall be erected on the sides, will greatly faciiltate the lading and unlading of vessels without the expense of cartage".

I must confess, that I cannot perceive how it is possible, that the Canal commenced by Mr. Livingston could afford that convenient birth for ships, which is spoken of. But as the certificate alluded to has been published, and evidently with a view to make an impression upon the Government, I must beg of you Gentlemen, as soon as your convenience will permit to return me answers to the following questions.

1st. The depth of water during the highest annual swell of the River, at the mouth of Mr. Livingston Canal?

2nd. How long does the Mississippi continue at its highest swell in each year, and for what period is the Batture generally covered with water?

3rd. Whether one, or more ships could at any time find a convenient Birth, in the Canal, constructed by Mr. Livingston?

Signed, Wm. C. C. Claiborne.

The above letter has also been sent to the Mayor.

To Judge White

N. O. Dec. 26th 1808.

I have the honor to enclose you a copy of my General Order of the 23rd Instant. It would give me sincere pleasure to find that the Quota of Militia required from this Territory, should be made up by voluntary Enlistment, and the object of this letter, is to solicit your patriotic exerions in forwarding the views of Government.

It is not probable that in any event the Militia of this Territory, will be ordered out of the Territory, nor is it expected that they will even be called from their homes unless in case of invasion, or eminent danger of attack, & then it is presumed no brave Citizen, would wish (unless enfeebled by age or sickness) to be absent from the field of danger and of Glory.

In the several States of the Union, I am told that few if any Drafts will be found necessary, and I pray God, that like patriotism may be displayed in this Territory. Are you too old to raise and to command fifty volunteers! I know your love of Country, and am sure that on the present occasion, if it be necessary, you will give to your precepts the force of Example.

I repeat there is no probability, of the Militia of this Territory (who may tender their services), being ordered out the Territory, or even from their Homes, unless in case of invasion of eminent danger of attack.

I will be happy to hear from you, on the subject of this letter by the first opportunity.

Signed, Wm. C. C. Claiborne.

To Sundry Inhabitants

N. O. Dec. 26th 1808.

I have the honor to enclose you a Copy of my General Order of the 23rd Instant. It would give me sincere pleasure to find that the Quota of Militia required from this Territory, should be made up by voluntary enlistment, and the object of this letter, is to solicit your patriotic exertions in forwarding the views of Government.

It is not probable that in any event the Militia of this Territory, will be ordered out of the Territory, nor is it expected that they will ever be called from their Homes unless in case of invasion, or eminent danger of

attack, and then it is presumed, no brave Citizen would wish (unless enfeebled by age or sickness) to be absent from the field of danger & of glory.

In the several States of the Union, I am told, that few if any drafts will be found necessary, and I pray God that like patriotism may be displayed in this Territory.

Signed Wm. C. C. Claiborne

To James Madison

N. O. Dec. 27th 1808.

Secy. of State.

Will you be good enough to convey to the President of the U. States my grateful acknowledgements for the flattering proof afforded me of his continued confidence by my re-appointment as Governor of this Territory, and to assure him, that in the discharge of the duties annexed to that office, I shall never be actuated by other than the purest motives of honest patriotism.

The enclosure is a Copy of my General order, directing to be detached, the Quota of Militia, which the President has required from this Territory; I hope and believe, that the number called for may be obtained by voluntary Enlistment; but I nevertheless perceive a *reluctance* on the occasion which mortifies me exceedingly; it arises on the part of the Creoles from an apprehension, that they may probably be ordered out of the Territory, & on the part of the native Americans, from a fear lest they may be placed under the Command of officers of the Regular Army; & these impressions are much encouraged by the opinions and discourse of a wretched, discontented Faction. (composed principally of the partisans of Burr) which has so long infested this Territory.

Signed, Wm. C. C. Claiborne.

To the Lady Abbess

(Private) N. O. Dec. 28th 1808.

I receive with gratitude, your kind congratulations on my re-appointment to the office of Governor of the Territory of Orleans.

I highly estimate the good opinion of your amiable community and shall always be solicitous to merit a continuance of this confidence and friendship.

The peace and prosperity of the Territory are object dear to my heart, and will command my best exertions; on those exertions, I supplicate almighty God to smile propitious.

The interest you take in the welfare of my dear little William, furnishes additional proof of your kindness towards me; It will be my care holy Sister, to install into the mind of this little Louisianian principles of virtue & trust in God, that he may become a useful and worthy member of Society.

I renew to you Holy Sister and to your community, the assurances of the protection of this Government and of my great respect and sincere esteem.

Signed, Wm. C. C. Claiborne.

To Col. Cushing

or officer Commanding
at Fort Adams. N. O. Dec. 29th 1808.

I enclose for your perusal alone a copy of a letter, which has been addressed to me by the Mayor of this City, touching a Conspiracy, which is supposed to be forming; You will observe that the Mayor attaches much credit to the information receiv'd, but that he does not "yet" feel himself at liberty to communicate the "sources".

I am persuaded there are some base men in New Orleans, who would not be unwilling to raise their arms

against the U. States, but I have thought they were too few in number to do any mischief. I nevertheless, should be wanting in duty if after the Representations made me by the Mayor, & other circumstances of which I am informed did I not request you, to detach to New Orleans, without delay, three of four additional Companies. The Secretary at War will be advised of this application and of the reasons which induce it.

Signed, Wm. C. C. Claiborne.

To Henry Dearborn

N. O. Dec. 29th 1808.

Secy. at War.

I have the honor to enclose you a copy of my General Orders of the 23rd Instant; No companies have yet volunteered their services; But I nevertheless trust and believe that few, if any drafts will ultimately be found necessary

Mr. Mather Mayor of New Orleans has made me a communication (of which the enclosure A is a copy) touching a conspiracy which he supposes to exist; You will perceive that the Mayor attaches credit to the information received, but does not "yet" feel himself "at liberty" to communicate the sources". There are unquestionably some wicked, desperate Men in this City, who would wish to raise their arms against the U. States, but I do not think them sufficiently numerous to do any mischief; I nevertheless esteem it a duty to be on the alert, and to take every measure of precaution, in my power; the contents of the Mayor's letter have been communicated to the Commanding officers of the Army and Navy on this station, and will shortly be made known to Colo: Cushing or the officer commanding at Fort Adams, accompanied with a request to send hither without delay three of four additional Companies of Regular Troops, but I feel some doubt, whether this request will be ac-

ceeded to, since a similar one which I made some months ago remains unattended to. I submit it to you, whether it may not be proper, in the present State of affairs to direct Colo: Cushing to reinforce the Garrison at New Orleans, upon the requisition of the Governor of the Territory.

I avail myself of this occasion to enquire, whether I may be at liberty to draw from the Public Stores, Arms for the Quota of Militia required of this Territory. I have heretofore communicated to you the want of Arms on the part of the Militia generally, and the impossibility of procuring them in this Territory; in the winter of 1806, & 7 there were about six hundred muskets distributed to the Militia; but were for the most part damaged, and unfit for use.

I shall keep you advised of such further information as I may receive, relative to the Plot alluded to by the Mayor; But I repeat, that I nevertheless esteem it a duty to take such measures of precaution as may be in my power.

Signed, Wm. C. C. Claiborne.

To Albert Gallatin

N. O. Dec. 31st 1808.

Secy. of the Treasy.

I have this day drawn upon you, two Bills payable at ten days sight, to William Brown Collector, or order, the one for twelve hundred and fifty dollars, being the amount of my quarter's salary, ending on this day, and the other for four hundred and seventy eight dollars, on account of the fund appropriated to defray the Contingent expences of the Executive Department of the Territory of Orleans.

Signed, Wm. C. C. Claiborne.

N. O. Dec. 31st 1808.

Secy. of the Treasy.

I have the honor to enclose you my Contingent account, for the Quarter ending this day, together with the necessary vouchers.

Signed, Wm. C. C. Claiborne.

To Col. John Thompson

N. O. Dec. 31st 1808.

I have the pleasure to announce your appointment as one of the Superior Judges of the Territory; Your Commission, approved by the Senate and bearing date the 14th of November last is in my possession, and would have been transmitted with this letter, were I assured that the conveyance was a safe one.

In the event of your acceptance, permit me to suggest the expediency of your early visit to this City; It is prescribed by the Ordinance, that you should take the Oaths of Office before the Governor, and the sooner you can do so, and commence upon your official duties, the better. The appointment of Judge is respectable; it is permanent, and the salary of $2,000 pr. annum will probably be encreased, but cannot be reduced.

I must repeat my solicitude for your early visit to the City, altho' you should not find it convenient to stay but two or three days; I wish this the more, since the public Interest and convenience would be promoted by your early qualifying and entering upon the duties of your office.

Signed, Wm. C. C. Claiborne.

To James Madison

N. O. Jany. 1st 1809.

Secy. of State.

On the 29th Ultimo, I transmitted under cover to the Secretary at War, a letter which Mr. Mather, the Mayor of New Orleans, had addressed to me touching a conspir-

acy, which he supposes to exist. Whether there is or is not cause for that apprehension which the Mayor expresses, I cannot yet undertake to say; I have however esteemed it a duty to take some measures of precaution, and with this view, have requested Colo: Cushing who commands at Fort Adams, to order to this City three of four additional Companies; but it is questionable, whether Colo: Cushing will feel himself authorised to do so, without previous instructions from the Secretary at War, or the Commanding General; I submit it to your Sir, whether it may not be proper, in the present state of affairs and until a General Officer shall be some where in this vicinity, to vest the Governor of the Territory, with so much controul over the Military force on this Station, as may enable him, to send timely succour to any exposed point.

Doctor Sibley of Nachitoches, under date of the 14th of last month, writes me, as follows "Nothing important has occured here lately, since the desertion of about thirty negroes; things cannot long remain in this state; it would be better (the people here say) to be under the Government of Spain, than thus situated; how long their allegiance to our Government, will remain without protection I know not, the negroes were furnished all with Spanish Cockades at Nacogdoches, a dance given them, and since have been marched off to the Trinity River, singing Long live Ferdinand the Seventh."

I am daily in expectation of Governor General Salcedo's answer to my last letter on the subject of the fugitives; But I must confess, I have little hope, that it will be satisfactory; permit me to suggest the expediency, of ordering to Nachitoches & Opelousas two or more companies of Cavalry; they might secure the passes to the Spanish Country, and put down that spirit of desertion, which at present prevails among the Slaves; their presence would moreover, tend to encrease

the confidence of our frontier Citizens in Government, and might perhaps, dispose our Spanish Neighbours to observe a more friendly Deportment; permit me also to avail myself of this occasion, to advise an immediate and considerable augmentation of the Military establishment in this Territory. The Militia here is an inefficient force; my best & incessant exertions to introduce order and discipline have been attended with but little success; they are moreover badly armed, and indeed in case of attack, the negroes are so numerous in the settlements on the Mississippi, that it might be dangerous to draw a considerable detachment of the Militia, to any one point. I have no reason to believe that the great Body of the people of this Territory, are otherwise, than friendly to the American Government; I do fear however that unless supported by a strong regular force, they would not, in case of attack, manifest that patriotic ardor in defence of the Country, which is essential to its preservation. You are not uninformed Sir, of the very heterogeneous mass of which the society in New Orleans is composed; England has her partisans; Ferdinand the seventh some faithful subjects; Bonaparte his admirers; & there is a fourth description of Men, commonly called Burrites, who would join any standard, which would promise Rapine & plunder:[1] There are nevertheless, many virtuous Citiens, in whose honesty & patriotism I fully confide, and with a respectable regular force, around which to rally, they would prove themselves worthy of reliance in the hour of danger.

Signed, Wm. C. C. Claiborne.

P. S. New Orleans could not afford to a European power, the booty which was found at Copenhagen; But in these rapacious days, the vast sums of Money known

[1] New Orleans at this time was the place of refuge of adventurers of all grades from the soldier of fortune to the pirate.

to be deposited in the two Banks of this City, together with the quantity of Cotton &c. here stored, may present a Lure too tempting to be resisted.

Signed, Wm. C. C. C.

To James Madison

N. O. Jany. 2nd 1809.

Secy. of State.

I have the honor to transmit you a "Memoire" on the subject of the Batture; together with several interesting Documents.

The Author Judge Moreau is supposed to be well informed on the Civil Law, & I am persuaded, you will find his Memoire worthy of your perusal.

You have enclosed, a Copy of a correspondence (Marked A) between the Mayor of New Orleans, the Wardens of the Port and myself, on the subject of the Canal commenced on the Batture by Mr. Livingston.

Perceiving by the papers, that the case of the Batture is submitted by the House of Representatives, to the Attorney General, I have to request, that you would be pleased to lay before him the Documents now transmitted. Nothing can be more certain, than that the Batture forms a part of the Bed of the Mississippi, for near six months in each year; at this time, it is nearly covered with water.

Signed, Wm. C. C. Claiborne.

To Judge Carr

N. O. Jany. 8th 1809.

Your letter of the 8th Ultimo, has this moment reached me. "The countenance & protection which the fugitive Slaves continue to receive in the Province of Texas is cause of serious uneasiness, nor have I failed to advise the President of the U. States of a proceeding so

unfriendly in itself, & so ruinous in its effects to many of our frontier fellow Citizens. I am not without hopes that my demand of the fugitives from Governor Salcedo may produce the desired effect; But there is much greater reason to believe, that the Presidents interference with the Spanish Government, may be the means of obtaining indemnity for the past, and security against future injury. But altho' an adjustment of this unpleasant business may not be made as expeditiously as the interest of our suffering fellow Citizens require, I must nevertheless pray them patiently to await the interposition of their Government. In the mean time, the Militia patroles will (under the orders of Colo: Shaumburgh) be maintained & the strictest police enforced under your authority. I am daily in expectation of receiving answers from the Secy. of State of the U. States, to several Letters which I have addressed to him relative to the fugitive Slaves, and hope soon to be enabled to make you a more satisfactory communication.

Signed, William C. C. Claiborne.

To Judge Carr

(Private) N. O. Jany. 8th 1809.

You are at liberty to communicate the contents of the enclosed letter to the people of Nachitoches. I feel indignant at the conduct of the Spaniards, and sincerely regret that my powers are not competent to the immediate relief of my suffering fellow Citizens; I trust however, the General administration will see the subject in its proper light, & that some efficient measures may be resorted to. In my address to the Territorial Legislature, which assembles on Tomorrow, I shall omit saying any thing on the subject of the fugitive slaves, in as much as my late letters to the Secy. of State on that subject have not yet been answered, & I also feel unwilling

to give publicity to occurrences, which policy requires, to be concealed from the Negro's in this Quarter; But I shall nevertheless press the individual members to memorialize the General Government without delay.

Signed, Wm. C. C. Claiborne.

To Dr. Sibley

N. O. 8th Jany. 1809.

Your letter by Mr. Owens, has been duly received. The reception given by the Spanish Agents to the fugitive Slaves, is cause of much concern, & will tend I fear to render the property of our frontier Inhabitants still more insecure.

I have remonstrated to Governor General Salcedo against a conduct so unfriendly in itself, and so ruinous in its effects to our unoffending Citizens, & demanded the restitution of the Slaves; I have also laid before the President of the U. States such information upon the subject as I was possessed of, and we may calculate with certainty upon the prompt interference of the General Government. In the mean time, I hope that the Militia Patrols (already ordered) will be maintained, and the strictest police observed.

The present is a most eventful crisis: There is no prospect of Peace in Europe, & it is extremely doubtful, how long the U. States will be permitted to remain neutral. There is no alternative but war or a continuance of the Embargo; the latter it seems is thought by Congress the least evil; but many politicians doubt, whether even by that means, war can be avoided.

Signed, Wm. C. C. Claiborne.

To James Madison

N. O. Jany. 8th 1809

The enclosures (No. 1) is a copy of a letter to me from Judge Carr of Nachitoches, & furnishes the latest information concerning the fugitive Slaves: The enclosure (No. 2) is a Copy of my answer.

Signed, Wm. C. C. Claiborne.

To Henry Dearborn

N. O. Jany. 10th 1809

I have the honor to enclose you a copy of a second letter, which the Mayor of this City, has addressed to me relative to the project alluded to in my communication of the 29th Ultimo. It is impossible to say how far the Mayor's informant may be relied upon; But I will endeavour to have an interview with him & will then be the better enabled to judge. I must confess however that, I do not at present feel any apprehension, for I have thought & do still think, that the Traitors here were not sufficiently numerous to do (of themselves) any mischief.

In order to comply with the President's late requisition as to the Militia, I have given orders for a Draft. In New Orleans, no Companies have yet volunteered their services; the circumstance mortifies me excessively; But I still flatter myself, that in the interior, more patriotism will be displayed.

The Militia of this Territory is a very inefficient force: I beg you to do me the justice to believe, that every exertion has been made on my part to introduce order and discipline; But notwithstanding, this object so desirable, is far from being accomplished. The Battalion of Orleans Volunteers, once a highly respectable Corps is now nealy dissolved; they were ordered into service, during the winter of 1806 & 7, & placed under the com-

mand of General Wilkinson; they became dissatisfied & have since discovered no Military ardor. I did myself believe that General Wilkinson, as a Commander, was well calculated to conciliate, & to acquire the good opinion of Militia, nor do I know that the volunteers took any exception to the treatment of the General towards them; But so it is that from some cause they became dissatisfied, & have ever since been on the decline.

Signed, Wm. C. C. Claiborne.

P. S. The enclosed extract of a letter from Lieutenant Merril to Commodore Porter, does not comport with the account given in the Orleans Gazette as to the cause of Governor Grand Pre's visit to Havanna!

Wm. C. C. C.

To William Claiborne[1]

(Private) N. O. Jany. 12th 1809.

You have no doubt been apprised (thro the medium of the papers of my reappointment to this Government, for the three years next ensuing. I must confess, that this proof of the continued confidence of the President of the U. States is a source of great satisfaction to me; & is an ample Reward for all my past services. I am not yet advised of the Result of the Presidential election; But I presume Mr. Madison has succeeded by a great majority; his long, faithful & able public services, eminently entitled him to the patronage of his Country, nor do I doubt, but he will prove a worthy successor of our illustrious Jefferson.

It affords me pleasure to observe, by the proceedings of Congress, the great support which is given to the administration; The times call for Union, and every faith-

[1] A brother of the Governor.

ful American should cling to his Country and Government.

The Embargo was a wise measure, & will I trust be adhered to—Should it be raised, war must necessarily ensue; Submission to the Decrees of England & France is out of the question, not would an American advise it, who possesses one particle of the Spirit of Seventy Six.

If the times permit, I will have the happiness to visit you (with my family, in the course of the ensuing summer. But should danger threaten, I must continue at my post.

You have heard of my Brother Leigh's political elevation; He is Speaker of the House of Representatives of the Mississippi Territory; But is nevertheless a much better Soldier, than a Politician.

My little son Wm. C. C. Claiborne Junior, (now 8 months old) is a very promising Boy, and his mother already recognizes in him, many amiable Traits.

Mrs. Claiborne proposes to send to you & her Mama, by the first Vessel sailing from hence to Norfolk, a Barril of Oranges gathered with her own hands, & some other little presents which she hopes will be received as evidence of her respectful and affectionate remembrance.

Mrs. Claiborne desires me to accompany with mine, her sincere prayer for yours and our mother's health & happiness.

Signed, Wm. C. C. Claiborne.

Governor Claiborne's Speech to the two Houses of the Assembly, delivered on Saturday the 14th day of January 1809.

Fellow Citizens of the Legislative Council & of the House of Representatives.

We witness a crisis in our national affairs which fur-

nishes causse for anxiety and concern to every Citizen, who justly estimates the prosperity & the independence of his Country.

It might have been expected, that those rulers of Nations, who have already thinned the ranks of mankind, in wars of ambition & conquest, would have yielded to the claims of suffering humanity, & turned their thoughts on peace; But it seems they are inspired with no other feeling, but that which delights in the accumulation & diffusion of human wo. Whilst France, arrogantly avowing, there shall be no neutrals, evidences towards the U. States the most determined hostility, England wars against our dearest rights as a Nation, and seizes on every occasion to add insult to injury.

On the Ocean the bequest of the Almighty for the common use of man, the strong arm of power has outraged every principle, & instead of being respected as the high way of Nations, where the neutral mariner, fearless of man, should pursue his course, it has become the theatre of the most barbarous warfare. The United States forbid by their interest to raise, or to attempt to raise an armament sufficiently extensive to maintain the liberty of the seas, have wisely determined to recall their ships, property and seamen, & to abandon for the present, an element, where their unoffending Citizens were subjected to acts of injustice, or rapine and cruelty. From the Embargo, we had anticipated the most salutary results, nor have we been disappointed: It was indeed hoped, that by operating upon the interests of the Belligerants, it would have induced a relaxation of their iniquitous decrees against neutral commerce. But altho' all the ends for which it was designed, have not yet been obtained, we nevertheless have abundant reason to applaud the wisdom of the measure. It has preserved for the service of their Country, our gallant Tars, and rescued from the grasp of merciless cupidity, property

to the value of many millions. It has done more, the honor of the Nation has not been sacrificed by a base submission to aggression, and the scourge of war, has thus long been averted from our peaceful Shores. But whatever may be the aspect of foreign relations, the contemplation of our domestic Scene cannot but prove a source of sincere satisfaction. Under the protection of a free Government, & the influence of just Laws, virtue and integrity experience every encouragement; Conscience & opinion are alike exempt from ecclesiastical & civil tyranny, & industry invariably rewarded with abundance, and (notwithstanding the present interdiction of foreign Commerce) often accompanied with profit. Let an American contrast his situation with that of a subject of any one of the European kingdoms, & he will see cause to be thankful that he lives in a Republic. Contented then with the destiny which kind heaven has alloted to us, we will proceed with grateful Hearts, & honest intentions, to pursue such measures as may tend to perpetuate our liberties, & to promote the convenience, the welfare of the Territory.

You are apprised Gentlemen, of the promulgation of "the Digest of the Civil Law" adopted at the last session of the Legislature. It being considered by our Courts of Justice, that the principles of the Civil Law, (except in criminal cases) were in force throughout the territory, it became desirable to place the same before the people. Heretofore the Civil Law, was but partially known; it was spread over innumerable volumes, & written in a language which few Citizens understood. Indeed the uncertainty of the Laws, by which we were bound, was a source of inquietude, & of embarrassment as well to private individuals as to the magistrates: The publication of the Digest will in some measure remove this ground of complaint, & the Legislature by having before them in one view the body of the laws, will be better

enabled to introduce such amendments as may meet the wishes & interests of their constituents.

I do not learn Gentlemen that the "act to provide for the means of establishing public schools in the Parishes of the Territory" is likely to produce the desired effect. In the Parish of Point Coupee, it is understood, that provision has been made for the support of two or more public schools; But I fear, that few other parishes will profit by so worthy an example. I have observed with pleasure, that schools for private instructions have of late greatly encreased, & that fathers of families seem impressed with the importance of educating their offspring. The instruction of our children in the various branches of science, should be accompanied with every effort to instil into their minds principles of morality; to cherish their virtuous propensities; to inspire them with an ardent patriotism, & with that spirit of laudable emulation, which "seeks the esteem of posterity for good and virtuous actions". Youths thus reared into life, become the pride of their parents, the ornaments of society & the pillars of their country's glory. You cannot Gentlemen, but be sensible of the importance of this subject; it embraces the best interest of the community & mingles with the warmest affections of the heart. A private academy near this City, under the able direction of Mr. Lefort has already acquired some celebrity & I recommend it to the patronage of the Legislature. Were the Buildings and adjacent lots purchased by the Territory, the academy incorporated and placed under the controul of a well selected board of trustees, its welfare would be much advanced.

I have reflected with solicitude on our judicial system, and the means of rendering it more prefect; its present organization, seems to me exceptionable. The Superior Court established by the Ordinance of Congress, is vested with original and final Jurisdiction, and

it is questionable whether the powers of the Territorial Legislature, are commensurate to the curtailing of its authority. In a small agricultural Society, such as that for the government of which, the ordinance was originally intended where cases of litigation seldom arose, & no difficult points of law are involved, a single court thus constituted might have answered the ends of justice; but in a Territory like ours, populous, wealthy and commercial, where the landed property, is holden by titles so various & complex; & where too the principles of the common & civil law, the statutes of the U. States & the Municipal regulations of France and of Spain are so often relied upon, I do think the experiment is somewhat hazardous. If Gentlemen your opinions upon this subject, be in unison with mine, I advise you, as the best means of amending the system, to petition Congress to encrease the number of our Superior Judges from three to five, & to pass an act authorising the territorial Legislature to define their duties & jurisdiction. Thus a judicature similar to what has been introduced, & satisfactorily practised in several of the states of the Union, may be here adopted. The Circuit Districts now established, may be attended by a single judge, & a special court composed of the five Judges holden at some central position once or twice in each year, as the tribunal of final resort. Thus a uniformity of dicision, will be introduced, without which the rights of a community will always be considered as vague & unstable. The present number of Judges, is sufficient to discharge the duties already imposed upon them, much less to the holding of the additional terms, which my plan contemplates: Indeed they are already so harrassed with holding courts, as not to be permitted the enjoyment of as much relaxation from business as is essential to health, & still less have they time, for that extensive reading, which next to uprightness, constitutes the ornament of the Bench.

The Parish Courts are believed to be well adapted to the present state of the Territory, and to be approved by a majority of your constituents: I however will renew the opinion that "if appeals from the Parish to the Circuit Courts (often resorted to for the purpose of delay) were discouraged by imposing a heavy interest, where the decision of the inferior tribunal was confirmed, & provision made for the appointment of Sheriffs in the several Parishes whose duty it should be, to execute all process issued by the Parish Judge, the system would be improved."

Your Criminal Jurisprudence requires revision. Punishments are not apportioned to crimes, & in some cases, offenders are imprisoned for life, whose reformation might probably be effected, by a less rigorous suffering. The Jail of New Orleans is the common receptacle for convicts sentenced to hard labour; But no means being pointed out for their employment, these unfortunate victims of the Law, herd together in idleness, until their vice becomes contageous: Their support moreover, is a serious charge upon the Treasury; so much so, that a view to political economy, has had an influence in pardoning offenders, whose claims for mercy, were very doubtful. For these and other considerations, which will readily occur, you will be convinced of the expediency of erecting a Penitentiary House, & of prescribing such rules for its internal police, as may be best calculated to reclaim the wicked and dissolute. You have not to hazard the expence incident to an establishment of this kind, on the uncertainty of experiment; the benefits resulting from a Penitentiary or House of correction, have been proven in several states of the Union. The profits of the labour of the convicts have been found amply sufficient to remunerate the public charge, & there are various instances of men, after atoning for their crimes, by pass-

ing a term of years in Solitude & confinement, having subsequently led lives of industry and integrity.

The weakness of the several District Jails, & the frequent escape of prisoners, must have attracted your notice, & will induce you I hope, Gentlemen, to make provision for the erection of more suitable prisons, & to point out by law, the means of procuring guards when necessary, & the allowance to be made them. Some of the Parish Judges have incured expenditures, & advanced monies for the safe keeping of capital offenders; There being no law, under which these accounts could be liquidated, they will I presume, be presented by persons interested, to the Legislature, & will doubtless meet such reception, as a liberal & just policy shall dictate.

The Treasurer of the Territory, will lay before you his annual accounts of receipts & disbursements, from which you may perceive, that our revenue is not only equal to the current expenses, but that there will remain in the Treasury a surplus of from twelve to fifteen thousand dollars; But on a careful examination of the disbursements, I am persuaded you will find fresh inducements for the exercise of prudent economy, and for the adoption of further provision for such rigorous investigation of demands against the Territory, as well insure the rejection of all, which justice & the existing law do not sanction.

Gentlemen of the House of Representatives.

The death of our highly valued & esteemed fellow Citizen Colonel Macarty, has occasioned a vacancy in the Legislative Council, which should be speedily filled; the nomination therefore of two persons to the President of the United States, as a preliminary measure, will I trust be early made, nor do I doubt, but that the selection will be such, as to secure to the Territory the services of an individual, worthy so high an distinguished a trust. May I avail myself of this occasion, to suggest for considera-

tion, the expediency of petitioning Congress, for an augmentation of that branch of the Legislature, Empowered to initiate laws in all cases, it should be so organized, as to furnish a representation from the several Districts of the Territory. The present number five to which the Council is limited, seems to me insufficient; But were it encreased to nine, the ratio would be more in proportion to that of the House of Representatives, and would be the means of diminishing the danger, which at present exists, of the proceedings of the Legislature being subject to interruption by the death, resignation, absence, or occasional indisposition of some of its Members.

Fellow Citizens of the Legislative Council and of the House of Representatives.

The State of the Militia imposes it upon me as a duty, again to call your attention to that subject, and to entreat you, not to close the present session, until some energetic Law, in relation to this service is enacted. The defects in the present system are know to every officer, and are proven by the little progress which has been made in the introduction of order & discipline. A regard to our dearest rights enjoin, that we should engraft the character of a soldier on that of the Citizen. The young men of this Territory have not degenerated; they are brave, hardy and enterprising; they have inherited the virtues & possess the spirit of their fathers. But to give this spirit energy; to make it subservient to the defence of the country, they must be armed and disciplined. I conjure you then Gentlemen, to confer such powers on your Militia officers, as will inforce a due degree of Military subordination; to lessen the number of those who are now excused from militia service; to render Company, Battalion & Regimental musters more frequent, and to impose such fines on the absentees as will induce the wealthiest of our citizens to yield obedience to the Law.

Your are apprised Gentlemen, of the call by the President of the U. States for 873 of the Militia of this Territory, being her Quota of one hundred thousand which the executives of the several States & territories are commanded "to take effectual measures to organize, arm, and equip according to law, and hold in readiness to march at a moment's warning." I have given on my part the necessary orders: But if in the execution of the President's commands, I shall need the aid of the Legislature, it will be asked with all that confidence, which I feel in your patriotism, and in your attachment to the general weal. At this eventful epoch, when, what are termed the civilised Nations of Europe, vie in acts of atrocity with the piratical States of Barbary, a people to hope for safety, must be armed & united! the Government of the U. States, has made reiterated efforts to restore an amicable intercourse with England & France; nothing has been demanded of the belligerents, which the immutable principles of justice did not sanction; no conduct of theirs has been objected to, but such, as was in violation to our rights as a free and independent people: the language of remonstrance & complaint has been exhausted, and our wrongs remain unredressed. There seems to be no alternative but war, or a continuance of the embargo! Advert to the history of the American Nation from the commencement of its existence to the present day! what triumphs have been achieved! what examples of fortitude, of firmness, of prudence, have been afforded! A national character acquired by the blood of heroes, and maintained by the wisdom of illustrious statemen, must and will be preserved. Our honor will never be sullied by receiving the commands of France; nor our independence prostrated by paying tribute to Great Britain. The Embargo imposes privations, which a magnaminous people will cheerfully bear: It may be the means of avoiding still greater ills; But however things may eventuate; whether

in inevitable war or honorable peace, the good Citizens of this Territory will unite hand and heart in the support of the Government and in the defence of their Country.

Signed, Wm. C. C. Claiborne.

To James Madison

N. O. Jany. 15th 1809.

Secy. of State.

I have the honor to enclose you, a copy of a letter addressed to me by His Excellency Nemisio Salcedo, Governor General of the Province of Texas communicating his determination to deliver the fugitive Slaves, to the order of their Masters. The contents of this letter (which were made known to the Parish Judge of Nachitoches by a Spanish officer to whose care it was committed) have diffused much satisfaction among our frontier fellow Citizens.

The two Houses of the Territorial Legislature formed a quorum on the 13th Instant & on yesterday I made them in person a communication of which the enclosed is a copy.

Signed, Wm. C. C. Claiborne.

The Legislative Council has returned the following answer to the Governor's Speech.

Sir,

The Legislative Council of the Territory of Orleans participate in the sentiments of your Excellency, concerning the critical situation of our National affairs; they see with regret that the wise measures taken by our General Government have not succeeded to bring to a sence of moderation & justice the belligerent Powers who have trampled upon the once respected rights of neutrality: but however great be the sacrifices which the safety of the country may render necessary under the present

important circumstances, the citizens of this Territory will submit to them with patriotic resignation; anything, but the humiliation of yielding obedience to foreign powers, will appear to them supportable. Full of confidence in the wisdom of their Government, they will await with impatience, but without inquietude, the result of its deliberations on the best means of avoiding or of encounttering the political tempest which threatens this Country; and they will obey its decrees with cheerfulness.

Hitherto quiet under the shelter of a free Government, whose benificent influence had given new life to its agriculture and commerce, this Territory loses at least as much as any other part of the Union, in the unfortunate change which unforeseen and inevitable events have made in the political system of the U. States; but there remains for its inhabitants a fertile soil, indutry and courage. They are yet rich, if compared to the Nations in whose bosom War has been raging so many years; for nothing until now, has threatened to disturb our interior tranquility, & we ought to esteem ourselves happy with the fate that we enjoy, in the midst of the calamities which desolate a great portion of the globe.

The Legislative Council are impressed with the importance of the several subjects of legislation, which your Excellency recommends to the attention of the General Assembly, and they will take them under due consideration. As to the raising of a portion of the Militia of this Territory, for which your Excellency received orders from the President of the U. States, the Legislative Council believe that you will find it of easy execution, & that the citizens of this Territory are ready to give proofs of their attachment to their Government & of their devotion to their Country.

Signed, J. Poydras,

N. O. Jany. 17th 1809.

President of the Legislative Council.

To Henry Dearborn

N. O. Jany. 17th 1809.

Secy. at War.

We take the liberty to recommend Thomas Beale for a Captaincy in the Cavalry of the U. States. This Gentleman, is a native of Virginia, or respectable connexions; has been distinguished for his firmness & courage, & since his residence in this Country for the patriotism of his sentiments & his attachment to the Government & interests of the U. States.

Signed

(Wm. C. C. Claiborne
(Ths. B. Robertson

N. O. Jany. 17th 1809.

Messrs. Amory, Callender & Co.

I have the honor to acknowledge the receipt of your note of yesterday, and to state, that until a report is made to me by the officer commanding at Plaquemine, relative to the vessel alluded to, I can with propriety give no orders upon the subject.

Signed, Wm. C. C. Claiborne.

Jany. 19th 1809.

The following answer has been returned by the House of Representatives to Governor Claiborne's speech.

To his Excellency the Governor of the Territory of Orleans.

Sir,

When from every part of the United States the voice of indignation is heard against certain Governments of Europe for their insults & aggressions towards our country; the House of Representatives of the Territory of Orleans cannot view with indifference the picture of our national affairs which your Excellency has exhibited to

their view. Zealous to participate in the prosperity as well as to share in the dangers of the American family, They feel anxious to mingle their voice with that of their fellow citizens of the U. States & to express to you the feelings & sentiments of their Constituents.

It was not sufficient for those Governments during the long space of twenty years without ceasing to deluge the vast countries of Europe with the precious blood of more than a million men, the wretched victims of an unexampled ambition & insatiable cupidity; they now threaten our peaceful shores. Not satisfied with having banished peace from one hemisphere they are eager to destroy its asylum in this part of the new world.

The wisdom of the measures taken by our Government, has preserved us until this day from the losses & injuries which always are the precursers of a formal aggression against those who are so confident as not to be cautious or justly fearful of these outrages. Sacrifices and privations were imposed upon us by those measures; but in supporting them with courage & resignation we are well convinced that, if the Embargo had not been put in force our Commercial Wealth would have been invaded our ships sequestred or destroyed, & our brave seamen lost to the service of their Country.

We have listend with a peculiar attention to the communications which your Excellency has given to us concerning the various parts of the administration, and they shall be the object of our early attention.

We are deeply impressed with the importance of the attention you recommend concerning the organization of the Militia, & with the necessity of rendering it a more effective force by improving its discipline, so essentially necessary to the tranquillity of the Country, as well as to command respect abroad for a Nation protected & defended by citizen soldiers.

We fondly hope that the execution of the orders which

your Excellency has received from the President for the raising of the quota of militia of this Territory will meet with no difficulty. Uniting the civil to the domestic virtues the Louisianians whose individual cause is connected with the cause of liberty, shall pay cheerfully to their country the tribute of their services, and shall always shew themselves zealous to deserve the gratitude of their country by co-operating in its defence. In every case your Excellency may depend upon the assistance of the Legislature in all the measures which may interest the general prosperity of the Country. Receive our sincere congratulations, Sir, on the new testimony of confidence with which you have just been honored by the President. This highly flattering testimony which the wishes of our constituents had already anticipated, is the noblest eulogium which can be made on your administration. Do not suffer your benificent views to be perverted by the clamors of envy, or the vociferations of slander. One is always sure to triumph when he rests upon the purity of his intentions, and upon the approbation of the honest citizens.

Permit us, Sir, to request your Excellency to transmit to the General Government the assurances of our love, our devotion, and our fidelity to the constitution of the U. States. Tell them that the Louisianians proud to belong to the great family, are ready to vie in zeal, in efforts and sacrifices for the defence of their Country.

Signed, Thos, Urquhart,
Speaker of the House of Representatives.

To James Madison

N. O. Jany. 19th 1809.

Secy. of State.

I take the liberty to enclose for your perusal a copy of the answer of the Representatives of this Territory, to the address, I had the honor to deliver to the two

Houses on the 14th Instant.[1] This answer, (one Member only having voted against it) may be considered as conveying the political sentiments of the great majority of the People of the Territory; Indeed Sir, the Louisianians are becoming every day more attached to the American Government, & I am persuaded, that when the occasion serves, they will prove themselves worthy members of the American family. I have nevertheless to regret, the residence among us, of some foreigners, faithful friends of England, of Spain or of France, & the existence also of a faction in New Orleans, (the remnants of Burrism) whose sole object is, to embarrass the administration, & to excite discontent.

I transmitted to the Secretary at War on the 10th Instant, a copy of a second letter which the Mayor of New Orleans, had addressed to me touching a traiterous association which he apprehended, was forming in this City; I trust & believe, there is no cause for any serious apprehension; one thing is certain, I have not been enabled to acquire such testimony concerning the project, as will justify the interference of the Civil Magistrates. The surrender of the fugitive slaves by Governor Salcedo, removes one cause which in a former letter I assigned for an augmentation of the Army, on our Western Frontier; but I nevertheless continue of the opinion, that in the present state of our foreign Relations, it would be expedient to encrease the regular force in this Territory. I repeat Sir, that however well disposed a great majority of the Inhabitants may be to the Government, (& really I have no reason to doubt their fidelity) We could make, unless supported by a regular force, but a feeble defence. Such is the state of our settlements, & so numerous is the negro population, that it

[1] The influence of Poydras greatly strengthened Claiborne with the Council and House of Representatives.

would be unsafe to draw to any one point, the Body of the Militia.

I also enclose you, the answer of the Legislative Council to my address; you will perceive in it, sentiments alike patriotic with those, which have been expressed by the House of Representatives.

Signed, Wm. C. C. Claiborne

To James Madison

(Private) N. O. Jany. 20th 1809.

Secy. of State.

I am this moment informed, by the Military Agent, that two thousand Regular Troops are ordered to this City; You will excuse me for suggesting it as an object of some importance that the officer selected for this command should possess a disposition & turn of mind, calculated to conciliate the Citizens generally, & to preserve a good understanding with the Civil authorities. Colonel ———— is not in my opinion such a character; I do not mean to derogate from his merits as a Soldier; But his Deportment is not of the conciliatory cast, and unless his political sentiments have of late undergone an entire change, they are not such, as to ensure that cordial and decided co-operation with the General Administration, which in this Territory, & at this crisis, would be productive of the best effects.

A Gentlemean in whom I confide, informs me that the Intendant Moralis has addressed from Pensacola a letter to his Brother now in this City (New Orleans) in which it is stated that, the persons exercising the supreme Government of Spain, have declared void the Treaty, which ceded Louisiana to France, and that an attempt will (probably) be made by Spain to repossess herself of New Orleans & its dependencies.

Signed Wm. C. C. Claiborne.

Message.

Gentlemen of the Legislative Council & of the House of Representatives.

I take great pleasure in laying before you, a translation of a letter, which has been addressed to me, by His Excellency Nemisio Salcedo, Governor General of the Interior Provinces of Mexico: It announces his determination to cause to be delivered to the order of their Masters, certain Slaves, the property of Citizens of this Territory, who had fled to the Province of Texas. You will observe Gentlemen, that Governor Salcedo calculates on a correspondent disposition, on our part, and indeed, he has already been apprised of my willingness to return such Slaves the property of Spanish Subjects, upon due proof thereof being exhibited, as may take refuge within this Territory; But in order to guard a proceeding of this kind, against difficulties, and to promote an object so interesting to your Constituents, permit me to suggest the expediency of enacting a Law in which the powers and duties of the Governor and other officers of the Territory touching this subject shall be particularly prescribed.

Signed, William C. C. Claiborne

Jany. 20th 1809.

To Major McRae

N. O. Jany. 21st 1809.

In a letter addressed to me, by the Honorable the Secretary at War bearing date the 20th of February 1804, it was suggested as expedient to detain all foreign Armed Vessels ascending the Mississippi at Plaquemine, until they were reported to the Governor of the Territory. An *order* to this effect, was in consequence issued by General Wilkinson, but having understood that

the same has not been communicated to the officer at present Commanding at Plaquemine, I have to request that you would issue a similar order. This proceeding can only be considered as a regulation of police, which at all times is proper, but particularly so at the present crisis.

Signed Wm. C. C. Claiborne

To F. L. Claiborne

(Private) N. O. Jany. 21st 1809.

The twelve Bales of Cotton you sent me some time since, were sold at the highest market price, and the nett proceeds were five hundred & twenty eight dollars and forty six cents, as appears from the Return of Sales herewith transmitted: It results, that there is still due me on account of the carriage & horses sold you $521 – 24 Cents, & for the payment of which I must request you to make me a remittance in cotton; I wish this the more since the carriage ordered for Mrs. Claiborne has arrived, & costs me 700 Dollars, of which, three hundred remain unpaid; I have also to pay 400 dollars for a pair of horses, which I have purchased, & really without your assistance, I shall feel great difficulty in meeting my engagements. I will sell your Cotton for the highest price, & will give you credit for what it will bring; But in any event, I will allow you 16/100. I must again mention the claim of Mr. Morgan against Messrs Brooks, Newman and yourself, & must beg you to advise me, what he has to depend upon.

The enclosed Answer of the House of Representatives of this Territory to my address, will be received as conveying the political sentiments of a majority of our Citizens; The answer was opposed by one member

only (Mr. Hughs); But I have not understood, the cause of his opposition.

My Dr. Clarice sends her affectionate wishes to yourself & family. May God bless you & yours.

Signed, Wm. C. C. Claiborne.

To Capt. Piseros

N. O. Jany. 22nd 1809.

I have read with much satisfaction, the letter which you addressed to me, on the 13th Instant, in which for yourself & the Company of Cavalry under your Command, a voluntary offer has been made of yours & their Military services.

I am happy in the receipt of this evidence of patriotism, & to notify my acceptance of a tender of service from a corps of Citizen Soldiers on whose Bravery & firmness, so much reliance may be placed.

You will be pleased Sir, to report to me without delay, the names of the several officers, non commissioned officers and privates attached to your Company, to convey them individually and collectively assurances of my esteem, & to add that whenever, the safety of our Country may require their presence in the field, there is nothing, I could more desire than to participate in all their Toils, & in all their dangers.

Signed, Wm. C. C. Claiborne

To Henry Dearborn

N. O. Jany. 24th 1809.

Secy. at War,

Since my letter of the 10th Instant, enclosing a second communication from the Mayor touching a traiterous association, I have succeeded in having an interview

with his principal informant, who did in Substance make such verbal Statements, as had previously been made me bythe Mayor; but he (the informant) refused to give *them in writing & on oath,* alledging, that his life would from that moment be insecure. I endeavoured to remove his fears, by assuring him that his Deposition would be received in confidence, & in no event should his name be given up, without his previous assent; but he persisted in refusing. This circumstance tends considerably to diminish my confidence in the *Information* communicated; but the Mayor who was present during the interview, still attaches credit to *it.* The Persons implicated, have (with a few exceptions) been long esteemed here as the Partisans of Burr, and have probably, in the presence of the Informant expressed themselves in terms highly inimical to the Government; but I do not believe, that a traiterous project is formed. The *Informant* is a native of Switzerland, but last from New York, and has the Air and manners of a man accustomed to move in genteel Society; *he* is personaly known to an officer of the Police in whom the Mayor confides, & by that officer is represented to be a man of merit, and as having been a Lieutenant in the Swiss Guards who were in the service of Louis the 16th.

If indeed the association alluded to, does actually exist, it is most probable, under the auspices of a foreign Power. I have had frequent intimations that the Spaniards (aided by the English) would attempt to repossess themselves of Louisiana, nor do I doubt, but that the Agents of Spain in the adjacent Provinces have been, and are still intriguing with certain persons in this Territory. Under this impression, & from the serious communications made by the Mayor, I addressed a letter to Colonel Cushing of which the enclosure No. 1 is a Copy, & have received the answer No. 2. I did not need the Colonel's advice as to the duties of the Civil Magistrate,

nor did I wish his interference with the Civil authority; But was desirous that, at a crisis so momentous as the present, the Regular force at New Orleans, should be augmented.

Two Companies of Militia, one of Cavalry and another of Infantry have volunteered their services, as a part of the quota of the Territory, and I have reason to believe that several other Companies will follow the Example; there is a considerable unwillingness on the part of the Militia in this quarter, to be pleaced under the immediate command of a Regular officer, There objection goes not particularly to General Wilkinson, for he, I believe, is very popular with a majority of the Citizens of this Territory. But there seems to be a natural aversion on the part of the Militia, to be placed under the Command of officers of the Regular Army.

Signed, Wm. C. C. Claiborne.

To Henry Dearborn

N. O. Jany. 29th 1809.

Secy. at War.

I have received your letter of the 31st Ultimo, in which, in conformity to the instructions of the President of the U. States, I am required "on the application of the Commanding officer of the Army in the Orleans Department, to order into actual Service, at such place as he may designate, with the least possible delay, not only the Territorial Quota of one Hundred thousand militia, but such additional Detachments duly organized, as the emergency may require". You may at all times Sir, be assured of my prompt & faithful obedience to the *orders* of the President, and *which* on the present occasion, are the more agreeable, since I learn that General Wilkinson (between whom and myself, there exists a perfect good understanding) has been selected for the Commanding officer in the Orleans Department. I cannot

however avoid the expression of a wish, that this arrangement may not be construed to deprive me of all immediate command, for their is nothing, I would so much wish, in the event of an attack on this Territory, as to place myself at the head of the Militia, and to share in all their Toils and in all their dangers. As relates to the Military *Rank,* attaching to the office of Governor, I could not desire, that *it* should give me precedence of General Wilkinson; on the contrary, I would recognize with pleasure as my Superior in the field, a man of his great experience and acknowledged Military Talents and Bravery.

The Legislature being at present in session, I am necessarily for the present confined to this City; But so soon as they shall adjourn, I propose to visit in person the several Parishes on the Mississippi, and will spare no pains to have "the Militia in readiness to defend their Country on the shortest notice". At present the Militia are for from being in such a state; But I have the happiness to believe, that a great Majority will prove faithful to the American Standard, and would oppose with great courage, an Invading Foe.

Signed, Wm. C. C. Claiborne.

To James Madison

(Private) N. O. Jany. 29th 1809.

Secy. of State.

In the exercise of the discretion vested in me, by your letter of the 14th Ultimo, I have selected the Louisiana Courier, as the most eligible paper in this City, for the publication of the Laws of the present Session of Congress, & have directed the Letter of appointment, you enclosed me, to the Editors thereof, Messrs. Thierry & Co. The Louisiana Courier is conducted with some talent, and seems disposed to render justice to the measures of the local and general Government. The Orleans Gazette

printed by Bradford & Anderson has heretofore experienced all the support which the public printing could give it. The Editors profess to be friendly to the General Administration; But for some time past, their paper has given no evidence of such disposition.

Bradford is the son of a Gentleman and of the same name of Kentucky, whom I have understood is a most worthy and useful member of Society; but the son has not profited, as greatly as I could have wished, of his Father's example & Councils.

Mr. Thierry the principal Editor of the Courier is a frenchman by Birth, and some very improper & inflammatory publications which appeared three or four years since are attributed to him; But his politicks have now assumed a very different aspect, and the paper which he conducts, is the only one of eight in this City, that gives support to the Government.

Signed, Wm. C. C. Claiborne.

To Judge Hubbard

N. O. February 2nd 1809.

The Representations of Mrs. Bourg are such as to induce me, to recommend her and her husband to all such Indulgencies, as you can consistent with your duty extend to them. It is important to the public interest, that the ferry's on the Lake, should be well regulated, and to this effect, I am aware, that they should not be numerous; But perhaps if Licenses were granted to two persons, it would excite a rivalship, of which the public would benefit: But you act under all the advantages of local information, and will I am persuaded act correctly. I write this letter solely to satisfy the earnest entreaties of a female who pleads her cause with great energy, for I am assured, that you will always be disposed

to execute the Laws in justice and in mercy, and that the fine which, the Bearers apprehend, will not be imposed, without it shall become indispensible.

Signed, Wm. C. C. Claiborne.

To P. Grymes

N. O. Feby. 4th 1809.

District Attorney.

Your note of the morning has been received, and in reply thereto, I state, that on or about the period when the District Court commenced its present sessions, the Marshal, Mr. Dorgenoy came into my office. A conversation between us upon general subjects ensued, in the course of which, my friendship for him, induced me to ask, whether the Bail he had taken, in the case of the U. States against Richard R. Keene was sufficient, and whether, in the event of a Judg'ment being obtained against Mr. Keene, he, (the Marshal) felt himself safe: Mr. Dorgenoy answered in the affirmative, and proceeded to describe the property possessed by Messrs. Pedesclaux & Watkins on the Bayou Road & by Mr. Fromentin in this City, whom he represented to be three of the sureties, and whose property the Marshal estimated at more than twenty thousand Dollars. Mr. Dorgenoy *did not* "hint" to me, that "there was informality in the proceedings on the part of the U. States; nor did he "suggest his not having had the authority to require Bail."

Signed, Wm. C. C. Claiborne.

(Private)

To the Worshipful Master of the Lodge Perfect Union.

Receive I pray you an expression of my sincere regret, at not being enabled to attend to my masonic duties, on this day, and to take dinner with my Brothers and

friends: But really from 10 O'clock until the present moment, I have been busily occupied in my office, on business which could not be dispensed with.

I have the honor to be,
Worshipful Master,
With the greatest respect,
yo: friend & Brother
Signed, Wm. C. C. Claiborne.

Sunday half past two O'clock A. P. (Feby, 5th)

N. O. Feby. 6th 1809.

Mr. Stringer.

The United States Building at present in your possession, being wanted for public uses, I have to request that you would make provision to remove therefrom on or before the 15th Instant.

Signed, Wm. C. C. Claiborne.

A similar letter was written to Bradford & Anderson.

N. O. Feby. 6th 1809.

Commodore Porter.

My impression is, that Barges and Boats owned by Citizens of the United States, and engaged (exclusively) in the River Trade, were not designed to be included in the Instructions of the Secretary of the Treasury, under date of the 19th of December last: And if such be also your opinion, I have to request that permits from me, as relates to them may be dispensed with.

Signed, Wm. C. C. Claiborne.

To Judge Goforth

N. O. Feby. 10th 1809.

I have received your several letters of the 17th, 25th & 27th January together with their enclosures; they afford additional proof of your ardent love of Country, &

devotion to its interest. The present crisis is indeed momentous; It is not unlike the epoch which "tried Men's souls;" the cause of dispute in some what similar to the one which eventuated in the Independence of these states; England would wish to exact tribute from the U. States, or in other words, that our Ships, should purchase permission to sail upon the Ocean; France is also disposed to insult and injure our Country; but she has not the means of annoying us. But the U. States will submit to neither; Previous to surrendering our Independence & receiving the commands of a Foreign Power, every Citizen, in whose veins flows one drop of that species of Blood which warmed the Patriots of Seventy Six must perish.

Your Parish has done itself credit, and the Citizens deserve well of their Country; tender to the volunteers my best thanks, accompanied with an assurance of my friendly disposition towards them. Say to Mr. P. Daspit, I admire his patriotic sentiments, and will take occasion to give him evidence of my confidence. The patriotic offer of Mr. P. Aubert is justly appreciated, and when I make arrangements for organizing the artillerists, his application for the command together with that of several other old and experienced officers will be taken into respectful consideration.

So soon as the Legislature adjourns, I shall repair in person to Lafourche & the several Parishes, and will organize the several Companies of volunteers; In the mean time, I hope their services may not be wanting. Such officers as the volunteers may recommend, it is my wish to commission.

Signed, Wm. C. C. Claiborne.

To Henry Dearborn

(Private) N. O. Feby. 5th 1809.

Secy. at War.

Great efforts are making by a wretched faction in this City to discourage a spirit of volunteering, which has manifested itself among the good Citizens of the Territory. You will perceive from the enclosed paper, the lengths to which this faction is disposed to go, nor can you be at any loss to conjecture the effect which a writing like that signed "A Creole" is calculated to produce among a people who are for the most part ignorant of our Government, Laws and Language. I trust however, to be enabled to defeat the wicked designs of those wicked Men? The Territorial Legislature is at present in session, and I have every reason to believe, will continue to deserve well. Mr. Julien Poydras, President of the Legislative Council, has been elected a Delegate to Congress for the ensuing two years.[1] Doctor Watkins was the candidate in opposition; the votes were twenty for Poydras —five (only) for Watkins; The former was brought forward by the friends of the Government; the latter, it is believed here, received all the support which Mr. Daniel Clark could give him.

Signed, Wm. C. C. Claiborne.

P. S. The *paper* enclosed is edited by a company of Burrites; its principal patron is supposed to be Mr. D. Clark.

(Private) N. O. Feby. 13th 1809.

Secy. of State.

A Mail from Washington, by the way of Fort Stoddart arrived on this morning, but has brought me no official communications. Mr. Julian Poydras, (who is avowadly friendly to the General and local Administration) has been elected by the Territorial Legislature a

[1] The defeat of Clark by Poydras was an indication of the growing popularity of the administration.

Delegate to Congress for the ensuing two years: Doctor Watkins, was the candidate in opposition & it is understood here, to have received all the support, which Mr. Daniel Clark could give him: But on counting the votes there appeared 20 for Poydras, and five (only) for Watkins.

A base faction in this City, composed principally of Burrites and Englishmen are making every exertion to excite disunion & disorder. A paper called "La Lanterne Magique" is devoted to their views, and I much fear, that among a people (like the Louisianians) who are still for the most part strangers to our Government, Laws, & Language, the Libellous publications, which weekly appear against the Government and its officers, will make some unfavorable impressions. The Legislature however are almost unanimous in approving the measures of Government, and I am happy to add, that without the City of New Orleans, little or no dissatisfaction is expressed.

Signed, Wm. C. C. Claiborne.

To Henry Dearborn

(Private) N. O. Feby. 14th 1809.

Secy. at War.

I shall experience no difficulty in raising the quota of Militia required from this Territory. Several Companies, 4 of Infantry, and three of Cavalry have volunteered their services: In the Counties of Iberville & Concordia there has been a draft: From the Western Counties, no returns have yet been received. The Creoles of Louisiana have on this occasion, afforded a Laudable example; the Companies volunteering, (with the exception of one) are compsed for the most part of natives of the Province.

One Company of Regular Troops from Philadelphia has reached this City, and a Vessel from New York with Troops is said to be in the River. General Wilkinson

whose arrival is daily expected will be *well received,* by a great portion of the respectable Inhabitants of N. O.

Signed, Wm. C. C. Claiborne.

To Colonel Clay of the 2nd Regiment of Militia

Sir,

You will detach from your Regiment, one Second Lieutenant and 12 Privates, to perform patrol Duty on this night; The Detachment will rendez-vous at eight O'clock at the Principal & the officer Commanding, will give such aid to the Civil authority in preserving order, as may be required of him by the Mayor of this City.

Signed, Wm. C. C. Claiborne.

N. O. Feby. 14th 09.

To General Wilkinson

N. O. Feby. 16th 1809.

I have sent my Aide-de-Camp, Major Fortier, to welcome your arrival, & to accompany you to the City. My carriage will await for you at the English Turn, where I learn, you will be received by many of your friends, if the Telegraphs should do their duty, and give advice of your approach.

It would have afforded me satisfaction to have joined you at the Balize; But the Legislature being in Session, and their business drawing to a Close, I am for the present, necessarily confined to the City.

Mrs. Claiborne unites with me, in best wishes for your health and prosperity; She has prepared a chamber for you, and anticipates of pleasure of seeing you in a few Days.

Signed, Wm. C. C. Claiborne.

To the Wardens of the Port of New Orleans.

The Bearer, Captain George Fram has been recommended to me, as a fit person to succeed Mr. Swinson (deceased) as a Branch Pilot for the Port of New Orleans, and my intention is to appoint him; I have therefore to request, that you take from Captain Fram the *security* required by Law, & upon receiving your certificate that the same has been given, Mr. Fram's Commission will be presented to him.

Signed, Wm. C. C. Claiborne.

Feby. 20th 09.

To Nemisio Salcedo

N. O. Feby. 21st 1809.

Govr. Genl. of the Intr. Provinces of Mexico.

Your Excellency's letter of the 18th of Nov. last, announcing your determination to cause to be delivered to the order of their Master, the slaves who had fled to the Province of Texas, I have had the honor to receive, and to communicate to the Territorial Legislature.

Your Excellency may be assured that a like conduct will be pursued as relates to slaves belonging to subjects of Spain, who may take refuge in this Territory, & in order, that no difficulty whatever might arise, the Legislature have enacted a special Law on the subject, a Copy of which, is now transmitted for your further information.

Your Excellency will (I trust) recognize in the provisions of this Law, those just and liberal principles, which should always characterise the intercourse between two neighbouring & friendly Governments.

I renew to your Excellency, the assurances of my high and respectful Considerations.

Signed, Wm. C. C. Claiborne.

To Major McCrae

(Private) New Orleans Feby. 22nd 09.

I regret that I had not the pleasure of welcoming in person, yourself and officers at the Government House on this morning; a pleasure which I certainly could have experienced, had I been advised of the intended visit.

I avail myself of this occasion to enclose you a Note which has been addressed to me by the managers of the Washington Ball, and to add, that if the music desired, can be furnished without inconvenience you will confer an obligation on Dr. Sir

your friend

Signed, Wm. C. C. Claiborne.

To James Madison

N. O. Feby. 22d 09.

Secy. of State.

On the 15 Jany. last I had the honor to enclose you a letter, which had been addressed to me, by Governor General Salcedo, announcing his determination to deliver to the order of their Masters certain negro's who had fled to the Province of Texas. Desirous to pursue on my part a like conduct as relates to slaves the property of Spanish Subjects who might take refuge in this Territory, I sent a Message to the Territorial Legislature, of which the enclosure Marked A is a copy, and the result has been the passing of the act marked B which I yesterday approved, and immediately transmitted a Copy to Governor Salcedo, accompanied with a letter, of which, the enclosure C is a Copy.

Signed, Wm. C. C. Claiborne.

To Judge Carr

N. O. Feby. 22d. 1809.

You will be pleased to forward by express to Nacogdoches, the enclosed Packet for Governor General Salcedo; It contains an answer to his last letter to me, on

the subject of the fugitive Slaves, and a copy of an act passed by the Legislature relative to slaves, the property of Spanish subjects, who may take refuge in this Territory: Of this Act, a copy is also, herewith transmitted, for your information.

Signed, Wm. C. C. Claiborne.

To Capt. Abrahams

N. O. March 1st. 09.

Military Agent.

In answer to your letter of the 28th Ultimo, I give it as my opinion, that you would consult the interest of the U. States, in drawing Bills upon the Secretary of War, for an amount sufficient, to enable you to comply with the charter parties to which you allude, & thereby, rescue the U. States, from that heavy demurrage to which they would otherwise be subjected. As relates to the propriety of drawing monies generally for the completion of the fortifications, I cannot venture an opinion: I hope however that you may receive such instructions by the Fort Stoddart mail, which is daily expected, as will relieve you from your present embarrassment.

Signed, Wm. C. C. Claiborne.

To Commodore Porter

N. O. March 2d. 1809.

I have received your letter of the 1st Inst.

The order of the 19th December, is a source of inconvenience to, & is made the cause of complaint, on the part of the Citizens. But I do not understand, that exception is taken to your conduct; for myself I highly appreciate your motives, and can bear testimony to the zeal and fidelity with which your duties are discharged. I however, am of opinion, that the Spirit and intention

of the orders of the 19th of December do not embrace the River Trade; they seem, to me, to be applicable to Vessels coming from Sea.

Such Sir, are my impressions and if you are in unison, all sea Vessels (excepting such sent by the Spanish Government, and which shall receive the passport of the Governor to proceed to Baton Rouge) will be prevented ascending above New Orleans, and as relates to Barges and Boats exclusively engaged in the River Trade, they will be permitted to past unmolested, unless they should wish to ascend above manshac and in that case, to be permitted to proceed on their voyage, provided their papers from the Custom House, be regular and in strict conformity to Law.

Signed, Wm. C. C. Claiborne.

N. O. March 2nd 1809.

To Colonel Foucher of the 4th Regiment of Militia.

I am requested by the President of the United States, to appoint some officer of the Militia of this Territory "of known respect for the Laws, in or near to each Port of Entry in this Territory, with orders when applied to by the Collector of the District, to assemble immediately a sufficient force of his Militia, and to employ them efficiently to maintain the authority of the laws, respecting the Embargo".

Confiding in your fidelity to your Country, Government and Laws, I have selected you Sir, for this Command, and enclosed for your Instruction, a Copy of a letter, addressed to me, by the Honorable the Secretary at War, explanatory of the views of the President upon this subject, and which you will carefully bear in mind.

I trust, there will be no necessity, for the use of the force, hereby ordered. The good Citizens of this Territory will I am persuaded never loose sight of the re-

spect for the Laws which has hitherto marked their characters; But if unfortunately there should be found individuals so unworthy the title of American Citizens as to oppose a measure which the general interest suggested and the Government has prescribed, I am proud in the belief, that there is no part of the American Union, where the Militia would more readily suppress a conduct so dishonorable, and bring to punishment men so unprincipled.

Such Detachments as you may under these orders find it necessary to call into service, you will draw from the fourth and first Regiments, and you will cause correct muster and pay Rolls to be made out and transmitted to the Department of War.

Signed, Wm. C. C. Claiborne.

To Henry Dearborn

N. O. March 3d 1809.

Secy. at War.

In compoiance with the request of the President of the U. States, as communicated to me, in your letter of the 18th of January last, I have selected, Colonel Foucher of the 4th Regiment of Militia, as a proper officer to cause the provisions of the Embargo Laws, to be enforced in this Territory, and have addressed him, a letter of instruction of which the enclosure is a Copy.

I should be unjust to the great Body of the people of this Territory, were I not to avail myself of this occasion, to assure you, that the pressure of the Embargo has been cheerfully borne by them, under a conviction that it was a temporary evil, and a necessary one to save us from greater and more permanent evils, the loss of property and the surrender of Rights." I should be wanting also in candour were I not further to add, that if unfortunately there should be found in this Territory individuals, so regardless of their characters & alleg-

iance, as to attempt to resist the Laws by force, there is no port of the United States, where the Militia would more readily suppress so "scandalous an unsubordination.

Signed, Wm. C. C. Claiborne.

To the Lady Abbess

(Private) N. O. March 8th 1809.

Persuaded that intelligence of events in which the Interests of our Country, are materially concerned, will not be unacceptable to your amiable Community, I have the honor holy Sister, to inform you, that His Excellency Thomas Jefferson rendered illustrious, by his long, eminent and faithful public services, did, on the third day of the present month, voluntarily retire from the high trust of President of the U. States, and that he has been succeeded in office by His Excellency James Madison, a Citizen no less distinguished for the Resources of his mind, than for great and virtuous actions.

I pray almighty God to smile propitious on the Chief magistrate of this Great and growing nation, and to crown with entire success his efforts to conserve for the American People, the great Blessings of Peace, liberty & laws.

I entreat you Holy Sister to be assured of my continued Esteem and respect.

Signed, Wm. C. C. Claiborne.

To Capt. Abrahams

N. O. March 8th 1809.

My. Agent.

In answer to your note of the morning, I give it as my opinion, that you would act correctly in making with the Bank, the arrangment suggested. The late change in the office of President of the U. States, and in some of

the Heads of Departments has probably interrupted that regular supply of money, which you require for completing the fortifications commenced in this quarter, and for meeting the charges incident to the transportation of Troops; But to avoid the injury to the public service, and to the public credit, which would ensue, were the contracts entered into not complied with, the arrangements you suggest seem indispensable, and will therefore I presume, be approved by your superiors.

Signed, Wm. C. C. Claiborne.

Message.

Gentlemen of the Legislative Council & of the House of Representatives.

I cannot approve in its present shape, the Bill entitled "An Act to amend the act entitled an Act for the improvement of the navigation of the Territory of Orleans."

The Operations of the Orleans Navigation company, are by Law "to be confined in the first instance to the improvement of the inland navigation of the County of Orleans, and of the Bayou Plaquemine". On the first object, much labour and expense, have already been bestowed: The navigation of the Bayou St. John within "the County of Orleans" has been so far improved, "as to admit at low Tides, Vessels drawing three feet water, from the Lake Ponchartrain to the Bridge at the settlement of the Bayou", and the attention of the company, I learn, will next be turned to the improvement of the Bayou Carondelet. The Citizens who have expended their monies on these improvements rely with confidence on that remuneration, or rather those franchises and privileges which the Government granted them, and which it will not be pretended they have forfeited. But in this expectation, they will be disappointed, should the

Bill before me, be adopted, since it goes to deprive the Company of the "power to open or improve any Canal". Thus confining their operations to the Bayou St. John, and preventing the opening a communication with the Mississippi thro' the Canal Carondelet; A work, which the company's interest require and the public convenience demands.

Without discussing the question how far the powers of the Legislature are competent wholly to destroy the charter of the Orleans navigation Company, I feel no hesitation in giving it as my opinion, that a measure of the kind would be impolitick and unjust. As relates however to the improvement of the Navigation of the Bayou Plaquemine, I do not myself doubt the expediency of committing that to other hands. The "Law for the improvement of the interior navigation of the Territory of Orleans" pointed out no term within which, the Plaquemine should be improved. But the Legislature evidently designed that it should be done or at least attempted within a reasonable period. Four years have elapsed, without any attention whatever having been *paid to the Plaquemine* on the part of the company. A degree of negligence which in *this instance*, works a forfeiture of the Charter. A Bill therefore which would alone go to the repeal of so much of the "Act for the improvement of the interior Navigation of the Territory of Orleans" as relates to the Bayou Plaquemine will be approved by the undersigned.

Signed, Wm. C. C. Claiborne.

Mch. 11th 09.

To Capt. Abrahams

N. O. March 13th 1809.

My. Agent.

The two brick Buildings, the property of the U. States, which I have shewn you, are now vacant, and may

be appropriated, if you think proper for the accommodation of some of the Troops of the U. States. These Buildings however require some repairs to make them comfortable; perhaps an expenditure of two hundred and fifty Dollars may be necessary: But they will accommodate one company, and I persume economy would advise, their immediate reparation, since for the rent of like Buildings, you would at least have to pay $150 pr. month.

Signed, Wm. C. C. Claiborne.

To Judge Bry

N. O. March 13th 1809.

Finding from your Letters that you can no longer, with convenience to yourself, act as Judge of the Parish of Ouachitta, I do now, in compliance with your request accept your Resignation, and have appointed for your Successor Mr. Thomas C. Lewis, to whom you will be pleased to deliver the Records of the office. Will you also administer to Mr. Lewis, the oaths of office required by Law, and Judge of the sufficiency of the security whom he may offer and transmit to me his Bond so soon as it shall be duly executed.

I take this occasion, to thank, you for your faithful public services, and tender you the assurances of my respect and esteem.

Signed, Wm. C. C. Claiborne

To Thomas C. Lewis

N. O. March 13th 1809.

Desirous to avail the Public of your services, as Judge of the Parish of Ouachitta, I have the honor to enclose you your Commission. In the event of your acceptance, your Predecessor Judge Bry (or in his ab-

sence Mr, Hughs the Representative from Ouachitta) is authorised to administer to you the oaths of office, and to Judge of the sufficiency of your security.

In a separate packet, I have enclosed you some letters and papers, which you forwarded me some time since, and which you (no doubt) would wish to retain. Mr. Hughs, will deliver you a copy of the Civil Code, & of the acts passed during the last three sessions of the General Assembly.

Signed, Wm. C. C. Claiborne

P. S. A blank Bond is enclosed.

This Letter was corrected by the Governor after its insertion in the private Journal — for the copy as corrected, see page 245

To Gov. Folch

N. O. March 13th 09.

Your Excellency's letter of the 16th Ultimo has been duly received.

I reciprocate the sentiments of high consideration for my Government and for myself, which you are pleased to express. The admission, that the Language of Menace in your Excellency's letter of the 29th of October last, was used under an impression which you now find to have been erronious affords a pleasing proof of your candour, nor can your Excellency be at all surprised, that I should have taken exception to a threat, to retaliate for a wrong previous to your having ascertained that one had been offered.

With respect to the "sensibility" of Spain, of which your Excellency has thought proper to remind me; of her high sence of honor and the disposition she manifests not "to submit to the insults of the powerful Tyrant of Europe", I can only observe, that no one more admires than myself, so magnanimous a *Spirit; It* is a guarantee of the good faith of your Nation towards my

Country, for a people who maintain with firmness their own Rights, are seldom wanting in respect for those of others.

Although I am conscious of the Justice of the policy of my Government towards all nations, I nevertheless do not feel myself authorised to enter into an examination of its conduct towards any: This exclusively appertain to my Superior officers at the City of Washington. It only remains for me to inform your Excellency, that the complaints you exhibit against certain armed Vessels of the U. States and against a Detachment of American Troops shall be laid before the President, and will no doubt receive all that attention, which they merit.

I offer your Excellency the assurances of my respectful consideration.

Signed, Wm. C. C. Claiborne.

To the Lady Abbess

(Private) N. O. March 14th 09.

I have received your letter of the 11th Instant, and will forward with pleasure, to our New President, the letter you have addressed to him.

The Packet which some time since, you did me the honor to commit to my care, was immediately transmitted under cover to the Secy. of State, and recommended to his protection; But I am sorry to add, that I am yet uninformed of its reception.

I shall myself, give directions to the Nurse, to accompany my little William, on a visit to you, and I beg you Madam to introduce him generally to the Ladies of your Community. I really think my little William, one of the most promising children in Louisiana, and on this point, Mrs. Claiborne entirely accords with me.

Receive Holy Sister, assurances of my continued respect and Esteem.

Signed, Wm. C. C. Claiborne.

To Gov. Folch

N. O. March 13th 1809.

Your Excellency's letter of the 16th Ultimo has been duly received.

I reciprocate the sentiments of high consideration for my Government and for myself, which you are pleased to express. The admission that the Language of menace in your Excellency's letter of the 29th of October last, was used under an impression, which you now find to have been erronious, affords a pleasing proof of your candour, nor can your Excellency be at all surprised, that I should have taken exception to a threat, to retaliate for a wrong, previous to your having ascertained that one had been offered.

With respect to the "sensibility" of Spain of which she has recently afforded so striking example; *Of her high sense of honor* and the disposition she manifest not "to submit to the insults of the powerful Tyrant of Europe," I can only observe, that no one, more admires than myself, a spirit so magnanimous; *It* is a guarantee of the good faith of your Nation towards my Country, for a people who maintain with firmness *their own rights,* are seldom wanting in respect for *those* of others.

The Complaints your Excellency has exhibited against certain armed Vessels of the United States, and against a Detachment of American Troops, shall be laid before the President, and will no doubt receive all that attention, which they merit. Although I am conscious Sir, of the justice of the policy of my Government towards all nations, I nevertheless do not feel myself authorised to enter into an examination of its conduct towards any; This exclusively appertains to my Superior officers at the City of Washington. I however can with great truth assure your Excellency, that the President of the U. States takes a lively interest in whatever may conduce to the happiness of the Spanish people, nor is

there anything he more desires, than to preserve between our respective nations a good understanding.

I pray your Excellency to be convinced of my most respectful consideration.

Signed, Wm. C. C. Claiborne.

To Gov. Folch

N. O. March 15th 09.

I avail myself of the present occasion to acknowledge the receipt of your Excellency's letter of the 6th Instant, protesting against certain orders to Commodore Porter of the U. States Navy respecting the Navigation of the Mississippi. It is not my province, to discuss with your Excellency, the propriety of those orders; My duty alone enjoins their faithful execution, so far as depends upon my co-operation.

I renew to your Excellency the assurances of my great respect & high consideration.

Signed, Wm. C. C. Claiborne.

Message.

Gentlemen of the Legislative Council & of the House of Representatives.

I have the honor to lay before you a complete return of the militia of the Territory as rendered by the Adjutant General.

Signed, Wm. C. C. Claiborne.

Mch. 15th 09.

To John Smith

N. O. March 16th 09.

Secy. at War.

I have the honor to enclose you a return made to me, by the Adjutant General of the number of the Militia who have volunteered their services as a part of the quota

required of this Territory: In two Counties Drafts were ordered; But a return of the same has not yet been rendered.

I also enclose you a General Return of the Militia of the Territory.

Signed, Wm. C. C. Claiborne.

To Robert Smith

(Private) N. O. March 19th 09.

Secy. of State.

Two Spanish officers, (who a few days since parted with Governor Folch in West Florida) visited me on this morning, and were extremely communicative: They gave it as their opinion that Spain had fallen, and either had, or would very soon acknowledge the authority of Bonaparte; But that Mexico, and the Spanish American possessions generally would not submit to the French. These Gentlemen talked, as if they were fully advised on the subject, and from the tenor of their conversation, I considered the sentiments delivered were those of Governor Folch, and with his assent, were communicated to me.

I was told, that the independence of Mexico was agreed on, and would be declared the moment the fall of old Spain was officially announced, & that the friendship and support of Great Britain and of the United States would be earnestly solicited. I observed that I was unadvised of the sentiments of my Government, but had reason to believe that it would be a source of pleasure to the U. States to learn that the Spanish Provinces had determined not *politically* or *commercially* to resign themselves either to France or England! I was asked whether a Minister from Mexico would be received by the American Government? I remarked, that it was impossible for me to answer with any certainty, being unadvised of the sentiments of my Government, but my private opinion was, that while the *Mexicans* acknowledged

allegiance to a foreign Power, no Minister of *theirs* would be received. But that should the Mexicans establish for themselves a separate Government, their agent would be entitled to respect! I was then told, that a Minister from Mexico to the U. States was already talked of, and that a Mr. Randon would probably be selected; and that a Gentleman by the name of "Murphy" a Spaniard by Birth, of irish extraction, would be sent to England! When speaking of East and West Florida, it was observed, that detached as they were from the other Spanish provinces, they were unimportant possession, and ought and would be ceded to the U. States; it was added, that such was the opinion of Governor Folch, and that he had solicited permission to abandon Pensacola, and to retire with his Troops and Military Stores to some position near the Bay of St. Bernard. Our Conversation continued for some time; But to enter more in detail, I conceive unnecessary; The substance of that, which was most interesting, I have endeavoured faithfully to state: Our conversation was considered as confidential, but it was understood that I was at liberty to communicate it to my Government.

General Wilkinson has not arrived, nor do we know when to expect him. The Territorial Legislature adjourns tomorrow; the most important act of theirs, has been the adoption of a Memorial to Congress, in which, the admission of this Territory into the Union, as a State, is prayed for: My opinion is, that a measure of this kind, would be extremely impolitic; the people are not yet prepared for self Government and to extend it to them would be a hazardous experiment: But on this subject, (and on another occasion) I will write you more fully.

Signed, Wm. C. C. Claiborne.

P. S. I had forgot to mention, that the Spanish offi-

cers with whom I conversed are known to me; and are supposed to be high in the confidence of Governor Folch.

Wm. C. C. C.

To James Madison

Private N. O. March 20th 1809.

President of U. S.

The enclosed letter is from the Lady Abbess of the Ursuline Convent, and in compliance with her particular request, I now have the honor to transmit it to you.

I avail myself of this occasion, to accompany the expression of my sincere pleasure at your elevation to the Presidential Chair, with my best wishes for the honor, the happiness and the prosperity of your administration.

Signed, Wm. C. C. Claiborne.

(Message)

Gentlemen of the Legislative Council & of the House of Representatives.

I have the honor to lay before you, a letter addressed to me, by the Treasurer of the Territory, upon the subject of the Public Taxes, and suggesting the difficulty which attends their collection in certain Parishes. I also, lay before you, an Extract of a letter, from the Parish Judge of Nachitoches.

Signed, Wm. C. C. Claiborne.

Mch. 20th 09.

Extract of a letter from John C. Carr Judge of the Parish of Nachitoches, to Governor Claiborne, dated February 17th 1809.

"I do not believe I shall be able to pay one half the amount of our Taxes; there is not actually as much

specie in the Parish. Last year I advanced 575 dollars out of my pocket to complete the sum, and of which I have not yet been repaid more than 50 or 60. You have recommended to me to administer the Laws in justice & in mercy, and this perfectly accords with my own feelings. I cannot distress and were I to execute the Law with rigor, I am certain I should find no purchasers."

Signed, John C. Carr.

March 21st 1809. To a joint Committee of the Legislative Council and of the House of Representatives who notified the Governor, that the two Houses, having finished the business before them, were ready to adjourn, unless he had further communications to make them, the Governor replied as follows ——

Gentlemen!

I have no further communications to make to the present Legislature, and therfore do not object to the proposed adjournment.

Receive Gentlemen, the assurances of my respect and esteem, and be so good as to convey to the Members of your respective Houses, my best wishes for their Health, happiness and prosperity.

Signed. Wm. C. C. Claiborne.

N. O. March 24th 1809.

Secy. of State.

I enclose for your perusal two letters, which have been addressed to me by Governor Folch, together with a copy of the answers which have returned to the same.

Signed William C. C. Claiborne.

To Judge Jno. C. Carr

N. O. March 26th 1809.

I have received and read with pleasure, your letter of the 3rd Instant.

The delivery of the fugitive Slaves, by the Spanish Agents, is an evidence of their good faith and friendly disposition, which cannot fail to produce on the part of this Government correspondent feelings.

The patriotic spirit manifested by Captain Nancarrow's Company, is very honorable to them, & I sincerely hope, that the several other Corps, will profit of so worthy an example. The conduct of Colo: Shaumburgh and of yourself on this occasion, receives my approbation, and entitles you to my thanks.

Your Representative Mr. Nancarrow, will have acquainted you, of the various objects which engrossed the attention of the Legislature, & the result of their deliberations.

To meet the public convenience, the time for the payment of the Tax for the last year, has been prolonged until the last of June. We are yet uninformed of the final determination of Congress as to the Embargo; The Fort Stoddart mail is daily expected and will probably convey full information on this interesting subject.

Signed, Wm. C. C. Claiborne.

To Dr. Sibley

N. O. March 26th 09.

Your letter of the 26th Ultimo, enclosing the Resolutions entered into by the Company of Cavalry under your Command, on the 22nd of Feby. last, has been duly received.

These Resolutions evidence a degree of patriotism very honorable to the Citizens composing the Corps, and afford a certain pledge that in the hour or peril, they will

be found worthy to be ranked among the defenders of their Country. It remains for me to say, that the services of your *Company* are accepted, and that it shall be reported as a part of the quota of militia required from this Territory. I shall enclose to the Secy. at War a Copy of the Resolutions you have transmitted me, and which will (I am persuaded) aid very considerable the request I shall make of the Executive of the U. States, to furnish your Company, with the Military Implements required.

We have no certain information as to the raising of the Embargo; The Fort Stoddart mail, which is daily expected, will probably bring full information on this interesting subject.

New Orleans is becoming crowded with Troops. More than fourteen hundred are now here, and several hundred more have entered at the Balize. General Wilkinson has not arrived; he is expected in two or three weeks.

Signed, Wm. C. C. Claiborne.

To Judge Claiborne

N. O. March 27th 09.

By a Resolution of the Legislature, the payment of the Taxes for the year 1808 is prolonged until the last of June, by which time, I hope you will be enabled to make a final settlement. The Legislature admitted a part of your account, as a charge against the Territory; I believe $410— for the residue, you must look at the Parish.

We have no certain information as to the final determination of Congress relative to the Embargo; the opinion is, that it either has or will soon be raised.

Mrs. Ross sailed for New York about 10 Days since; her passage money was paid by Mr. Miller, and a Bill

drawn upon one of Mrs. Ross's Brother's, to the amount advanced, which will no doubt be duly honored.

My respects to your Lady.

Signed, Wm. C. C. Claiborne.

Private N. O. March 27th 1809.

B. Cenas.

Your letter of the 23rd Instant has been received.

I believe you incapable of the baseness, of which you are accused; Your conduct as far as it has come within my knowledge has been correct, and I have always considered you, a faithful, honest and capable officer.

Signed, Wm. C. C. Claiborne.

N. O. March 29th 09.

Joseph Montegut Junr.

I have to honor to enclose you a Commission, as a Justice of the Peace, for the City, Suburbs and Precincts of New Orleans.

In the event of your acceptance, it will be necessary, that you hold your office, within the Suburb Marigny.

Signed, Wm. C. C. Claiborne.

N. O. Mch. 29th 09.

Sundry Gentlemen.

I have the honor to enclose you a commission, as a Justice of the Peace for the City, Suburbs & Precincts of New Orleans.

Signed Wm. C. C. Claiborne.

N. O. March 29th 1809.

Marc Lafite.

I have the honor to enclose you a Commission, as Justice of the Peace for the City, Suburbs and Precincts of New Orleans.

In the event of your acceptance, it will be necessary, that you hold your office within the suburb St. Mary.

Signed, Wm. C. C. Claiborne.

N. O. March 31st 1809.

Secy. of the Treasy.

I have the honor to enclose you my contingent account, for the quarter ending this day, together with the necessary vouchers.

Signed, Wm. C. C. Claiborne.

N. O. March 31st 1809.

Secy. of the Treasy.

I have this day drawn upon you two bills payable at ten days sight, to William Brown Collector, or order, the one for twelve hundred and fifty dollars being the amount of my quarter's Salary, ending on this day, and the other for nine hundred dollars, on account of the fund appropriated to defray the Contingent expences of the Executive Department of the Territory of Orleans.

Signed, Wm. C. C. Claiborne.

Thomas H. Williams N. O. Apl. 1st 1809.

Secy. of the My. Ty.

In conformity to a wish expressed in a letter to me from Governor Williams, under date of the 27th Ultimo, I have the honor to enclose you a Deposition of Colo: Joshua Baker's and a letter signed J. E. Trask, which (during my last visit at Natchez) were handed me for perusal by Mr. Mead, at the request of Governor Williams.

Signed, Wm. C. C. Claiborne.

N. O. Apl. 2nd 1809.

Capt. Abrahams.

Your letter of this date has been received, and we give it as our opinions, that the interest of the Government requires, that you should draw Bills upon the Secy. at War for such sums as will enable you to meet the public engagements, and to provide comfortable quarter for the Troops.

Signed } Wm. C. C. Claiborne
A. Parker

To William Eustis

Secy. at War. N. O. April 2nd 1809.

There has arrived here, about two thousand troops and several hundred more are daily expected; the public Barracks not being sufficient for their accommodation, many of the Companies are comfortably but (necessarily) expensively quartered in the different parts of the City.

Captain Abrahams the Military Agent whose services are now so essential, has tendered his resignation and is solicitous to return to Georgia — he complains of the multiplicity of his business and the inadequacy of his compensation to a comfortable support. It appears to me, that Mr. Abrahams, has just cause to complain; his duties (to which so much responsibility attaches) employ his whole time, and his compensation is only seventy six dollars per month. A lesser sum than is usually given here to a Merchant's Clerk, and cannot possibly support a family in this expensive City.

Of Mr. Abraham's fidelity in office and sincere attachment to the welfare of the Government, I feel fully persuaded. He has moreover a knowledge of this Country, of its inhabitants & their mode of transacting business; His habits are industrious, His arrangements are

economical, and he seems to be as careful of the public purse as if it were his own. I really think Sir, a continuance of Mr. Abrahams's services so desirable, that to ensure them a considerable encrease of his pay and emoluments would be advisable. You will excuse the Liberty I take in addressing you this letter; I have no other motive than to promote the interest of the Government, and to render justice to a meritorious officer.

Signed, Wm. C. C. Claiborne.

To Robert Smith

Secy. of State. N. O. April 2nd 1809.

I shall leave this City on Tomorrow, on a visit to the several Counties on the Mississippi, in order to assist in the organization of the quota of Militia required from this Territory; I shall avail myself of this occasion to visit Point Coupee, where a violent dispute has arisen between the Parish Judge & the Parish Priest, in which the Citizens take great interest, and where my presence is thought to be desirable as appears from the enclosed paper. About two thousand Troops have arrived here, and several hundred more are daily expected. The public Barracks not being sufficient to accommodate the Troops, several companies are comfortably, but (necessarily) expensively quartered in different parts of the City. We have no certain intelligence of General Wilkinson.

Signed, Wm. C. C. Claiborne

To Julian Poydras

(Private) At Mr. Soniat's, Near N. O.
April 21st 1809.

I arrived here late on last evening, & had the happiness to find Mrs. Claiborne & my son in the enjoyment of health.

The Papers, which I received on this morning leave no doubt as to the fate of Spain; Her armies are annihilated, the British Forces have fled to their Ships and Bonaparte is every where successful. It is not true as was reported that the French in Cuba were massacred; two persons only were murdered, and the Mob was dispersed by the constituted authorities.

In a letter to me from the Honorable Mr. Smith the new Secretary of State, under date of the 20th of March, he says—— "I have received your letter of the 13th Feby. giving the information of Mr. Poydras's election. It is satisfactory to learn that a Gentleman so deeply interested in the prosperity of the Territory, and one who is avowedly friendly to the General and Local administration, has been chosen its Representative in Congress."

Signed, Wm. C. C. Claiborne.

To Robert Smith

(Private) Near New Orleans Apl. 21st 09.

Secy. of State.

On my late Journey to Point-Coupee, I called at the House of a Citizen opposite the Post of Baton Rouge, and was immediately waited upon by a Spanish officer, with the compliments of Governor Folch, and an invitation to dinner, which I accepted.

My reception was respectful and friendly; the conversation turned principally upon the prospect of Spanish affairs, and Governor Folch, (who was for some time alone with me) communicated his sentiments freely and without reserve; He did not despair of the efforts of Spain to resist the usurpation of Bonaparte; But gave me explicitly to understand that the Spanish Colonies would never submit to the new Dynasty: He spoke particularly of Mexico and the Island of Cuba, and assured me their Independence was (eventually) determined upon; that whilst there were grounds to hope, that

old Spain could maintain the contest in which she was engaged, the colonies would continue their faithful allegiance. But when the cause of the Mother Country became desperate, and of which the emigration of some of the more prominent characters among the Patriots would be taken as proof, the independence of Mexico and Cuba would be proclaimed.

On the subject of the Florida's, Governor Folch said, they were alone important to the U. States, and must (in his opinion) from the course of things, fall very soon into their possession; he added, that a Report having acquired credence at Madrid, that Joseph Bonaparte had offered to cede the Florida's to the U. States, the Supreme Junta, had addressed a letter to the American charge des affairs (Mr. Irvine) protesting against the validity of an Act of the kind, on the part of Joseph. Governor Folck spoke of the sincere disposition of the Spanish nation to cultivate a good understanding with the U. States; & he particularly Stated, that of that disposition England was apprised. During this conversation, I gave it as my opinion, that the American Government wished well to the cause of Spain; But in the situation, in which the U. States were placed, their best interests forbad their interfering in European Contests; that in the event of Spain's success, the American Government would be well satisfied that Mexico and Cuba should remain a part of the Spanish Dominions; but that to my Country it would be cause of great regret, to see those Colonies fall politically or commercially into the hands either of France or England. Governor Folch stated that England had strong claims on the gratitude of the Spaniards; But he did not apprehend, that in any event, the Spanish Colonies would fall into the hands of England. He admitted, the necessity of Mexico and Cuba seeking foreign alliances for recovering and maintaining their Independence, and added, that the support

of England and of the U. States would be sollicited; But *that* of the latter would be preferred. I then observed, that it was certainly interesting to the United States, that all European Influence, (and more particularly as respects England & France) should be banished the continent of America, and *that Mexico and Cuba self governed and independent might rely on the friendly disposition of my Country:* But Govr. Folch was advised, that such, were my private sentiments, and that I spoke with no authority from my Government. Whilst at dinner, Governor Folch gave as a toast "the Liberty of the new World; may it never be assailed with success, by the old world" and, was apparently well received by the Company.[1]

Signed, Wm. C. C. Claiborne.

To Robert Smith

Near N. O. April 21st 1809.

Secy. of State.

I returned on last evening from my visit to the several Parishes. A severe Rheumatic affection, (arising from a violent cold, and of which I have not yet entirely recovered) prevented me from carrying into effect, the primary object of my journey, which was to assist in person in the better organization of the several Corps of Militia who had offered their services as a part of the Quota, required of this Territory.

At Point Coupee I found the Citizens much devided. The Parish Judge and the Parish Priest (both frenchmen by birth) are the Leaders of the contending parties; the former is supported by Mr. Poydras and a majority of the Planters of the Parish; the latter is patronised by a few respectable Creole families, and some native Americans who have recently emigrated to the Territory. The Judge and his partisans wished the removal

[1] In accord with the Monroe Doctrine but in advance of its adoption by Monroe.

of the Priest; the latter and his supporters desired the disgrace of the Judge; But my powers did not permit me to act in either case, and my inclination led me to take no other notice of the Dispute, than to advise all parties to preserve good order, and to add, that any Breach of the public Peace would be noticed by the Civil authority. The Sheriff of the District is said to be so friendly to the Judge, as to evidence great partiality in the selection of Jurors, and a great Clamour has been raised against him. This cause of complaint, which I believe not to be altogether unfounded, shall be removed, so soon as I can find a capable, honest man, indifferent to both parties, willing to accept the office. I should be at no loss to select an individual from among the Citizens of Point Coupee, both honest and capable; But they have so generally taken part in the contest, that it will be advisable to appoint as sheriff, some person who has not heretofore resided in the Parish.

A Deposition of which the enclosure marked (A) is a copy, is relied on by one party as proof of the Judge's unworthiness, and the defense marked (B) is to the friends of the Judge satisfactory. I am sorry to have troubled you, on an affair of mere local concern; but an importance is given to the subject here, which it does not merit, and least it may reach you with some exaggerations, I have thought proper to give you this general view of the case.

Among my duties, the most delicate & disagreeable, is that of appointing to office. To conciliate the population generally, and Indeed to be just to the old Inhabitants, I must fill a portion of the offices of honor and profit with those whose native Language is french; But this policy is much censured by some of my fellow Citizens, and made a cause of opposition to my adminitration. You will find inclosed a List marked (D) of the more important Civil and Military officers of the Gov-

ernment; and in which is noticed their several places of nativity. From this list you will find, that if their is any favoritism, it is towards native Americans.

Signed, Wm. C. C. Claiborne.

To Albert Gallatin

N. O. Apl. 26th 1809.

Secy. of the Treasury.

Major Fortier, who visited the Balize some time since, under my instructions, made a Report in which among other things he represents "That the public Buildings at the Balize are in a state of great decay and that the adjacent ground is daily washing away. Indeed the water has of late made such Ravages, that unless the Levees should be greatly improved and kept in constant Repair, I am persuaded, that the Block-House itself, will in a short time be washed away". As the preservation of the present alluvion at the Balize is of great importance to the convenience of Persons, navigating on this Coast, I have thought it my duty, to communicate to you the above information. Among the items in my last Quarterly contingent account; there is one, covering the personal expenses of Major Fortier, during his journey to and from the Balize. It is true, that Mr. Fortier was on this occasion engaged in an enquiry which concerned the public interest, and that the primary object of his visit was to learn the truth of a Report, which had reached me, in such way as to merit some attention, that an English armed Vessel, hovering on our Coast, was carrying on a secret correspondence with certain persons in this City, thro' the medium of the 1st Pilot at the Balize; But it is also true, that Major Fortier was selected by me for this mission, in order to receive and to accompany General Wilkinson to New Orleans. I have thought proper to trouble you, with this explanation, and to add, that if under these circumstances, the

item alluded to be deemed improper, I hope it will stand charged against me personally. In order however, that you my [may] the better Judge, how far Major Fortier's expenses should be a public or private charge, I have thought it best to enclose you a Copy of his Report to me.

Signed, Wm. C. C. Claiborne.

N. O. April 27th 09.

Col: John Clay.

Your resignation as Colonel of the 2nd Regiment of Militia is accepted.

Permit me to accompany the expression of my regret for the cause, which deprives the public of your faithful services, with assurances of my respect and Esteem.

Signed, Wm. C. C. Claiborne

To Major Henderson

or in his absence N. O. May 3rd 1809.
Capt, Lamy
Ouachitta.

I have received the Memorial, which has been signed by yourself, and five other officers of your Battalion, complaining that 60 men, have been drawn from Ouachitta, whose whole Militia does not exceed 148.

My impression is, that the quota assigned to Ouachitta, is much too great, & on the return of the adjutant General to this City, which is daily expected, the subject shall be enquired into, & any mistake which may have occured, shall be remedied. In the mean time, you may assure the Citizens of Ouachitta that no measures will be taken be me, which shall endanger their Security.

It has been suggested to me, by a Gentleman from Ouachitta, that the public convenience will be promoted by forming an additional Company to your Battalion:

If such be your opinion, you are hereby authorised to prescribe the Bounds of an additional Company District, and to make return thereof to the Adjutant General: As regards the Company Officers, I have to request that you would recommend to me some Citizens, possessing & meriting the confidence of your Society.

Will you accept Sir, yourself, and communicate to the several officers, who have Signed the memorial, the assurances of my great respect.

Signed, Wm. C. C. Claiborne.

To Judge Hubbard

N. O. May 4th 1809.

Your letter of the 2nd of April has been received. You will be pleased to advise Messrs. Corvoisier and Landry Justices of the Peace, that their Resignations are accepted, and at the same to tender my thanks for their faithful public services. You have enclosed, Commissions of the Peace, for the two Gentlemen whom you recommended as worthy of confidence, and you have my authority to fill up one of the blank commissions in your possession with the name of such Citizen in the lower quarter of the Parish, as you shall deem capable, honest and faithful to the Government. But I must request you not to omit advising me of his name in order that it may be entered on the Records.

The pressure of the times being anticipated by the Legislature, induced a prolongation of the time for the payment of the Taxes for the past year until the last of June. But the payment in advance (notwithstanding such pressure) on the part of your Parish, affords a pleasing evidence of the great respect of the Citizens for the Laws, and of your own fidelity in office.

Signed, Wm. C. C. Claiborne.

To Judge Hubbard

N. O. May 5th 1809.

As relates to the request of certain Citizens for permission to settle upon the Lands of the U. States, of which you advise me, I have no authority to act thereon. It is however a matter of notoriety, that many persons have already set themselves down on public lands, and that the General Government altho' apprised thereof, have issued no orders for their removal. How far this circumstance, may be considered as an Inducement to the Citizens in whose behalf you have written me, to settle and to improve vacant Lands is for them to determine; It is not in my power to promise them a right of pre-emption, or any other indulgence. A power of that kind exclusively appertains to the Congress of the U. States, and by whom the claims of settlers on the liberality of the Government will be considered, whenever an office shall be opened for the sale of the public Lands in this Territory.

Signed, Wm. C. C. Claiborne.

To Commodore Porter

N. O. May 6th 1809.

We recommend with much pleasure, to your patronage, Mr. Francis H. Watkins, who wishes to enter the Navy of the United States as a midshipman.

Mr. Watkins is a Native of Kentucky, and a Brother by the Mother's side of Mr. Henry Clay late a Senator from that State in Congress. He is about 17 years of age, possesses a good moral character, and (as we learn) has received the advantage of a liberal Education.

Signed, (Wm. C. C. Claiborne
(Thos. B. Robertson

To Major McRae

N. O. May 11th 1809.

I have received your letter of the 9th Instant.

As Director of the Fortifications erecting at the Bayou St. John, English Turn and Plaquemine, you have been subjected to much extra attention and fatigue, and in my opinion, you are justly entitled to an Extra allowance; As to the amount, The Secretary at War can best determine. But for myself Sir, after having witnessed your zeal and fidelity in the discharge of the duties required of you, and knowing as I do, the heavy expences which a public officer on this station must necessarily encounter, I consider, the charge you propose to exhibit, as a very moderate one.

Signed, Wm. C. C. Claiborne.

To Parish Judges

New Orleans May 11th 09.

Sundry Parish Judges.

His Excellency Governor General Salcedo, having recommended to my mercy, the fugitive Slaves whom by his orders, were lately deliver'd to their owners, I am induced (from motives of respect for that Governor, & also from a wish on my part, that in a transaction, in which the Spanish authorities, have manifested a desire to preserve a good understanding we should not be supposed wanting in a conciliatory disposition) to request of you Sir, to unite with me in recommending these Slaves to Clemency and to inform their respective masters, that on this occasion "an entire pardon of the offence of Desertion" will afford me satisfaction.

Signed, Wm. C. C. Claiborne.

To Lieut. Walsh

N. O. May 12th 1809.

Comg. the Fort at Plaquemine.

You will permit the Schooner Nuestadel Canmen, with the negro's on board to pass the Fort; But you will inform the Captain, that no slave must (until further orders) be landed on penalty of a forfeiture of the Vessel, and a heavy pecuniary fine.

You will bring to at the Fort every Vessel with slaves on board coming from a foreign Port, and report the same to the Governor of the Territory; The propriety of permitting a Vessel with slaves to ascend, must depend upon the circumstances of each particular case.

Signed, Wm. C. C. Claiborne.

To William Eustis

N. O. May 15th 1809.

Secy. at War.

Permit me to name to you Mr. Abrahams Miller, at present residing in this City, as a candidate for the honor of a Commission in the Army of the U. States, and to recommend him for a Lieutenancy in the Corps of Artillerists. Mr. Miller is a Native of Maryland, about 22 years of age, has received liberal Education, supports (from the information of Gentlemen in whom I confide) a very fair character.

Signed, Wm. C. C. Claiborne.

To Robert Smith

(Private) N. O. May 14th 1809.

Secy. of State.

Governor Folch has been in this City for 10 Days past; he has received much friendly attention, and has partaken freely of the hospitality of the Citizens; he continues to express, apparently with great Candour, his political opinions, and even in mixed companies, does not conceal his wishes for the Independence of Spanish

America. I have no doubt, but sentiments favorable to self Government are cherished by most of the officers on Command in the Spanish Provinces; But how far, the People are prepared for a change of the kind, is very questionable. From the best information I can obtain, they (the body of the People) are deplorably ignorant, miserably superstitious, for the most part poor, indolent, and easily controuled by their Priests. I fear, therefore an attempt at self Government would be followed by scenes afflicting to humanity; Indeed, it is said, that already at Havannah, the state of things is approaching to Anarchy; that robberies and assassinations are frequent; life and property insecure, and serious apprehensions are entertained lest the fate of the Island of Cuba may be as wretched, as has been that of St. Domingo. Of the French exiled from Cuba, about forty have reached this City; 6000 are supposed to have arrived at the Balize, and it is reported to me that from 12 to 1500 more, (from St. Yago) propose to take refuge in this Territory, and may be daily expected. These unfortunate People are for the most part without resources, and must depend upon the Benevolence of this society for the means of present support: A supply of provisions has been forwarded to those now in the River, and like relief will have to be afforded such as may hereafter arrive. Among this mass of Emigration, there will doubtless be found some excellent Citizens; But I fear there will also be many, who can alone be ranked among the worthless class of community. Of that class, New Orleans has already its full complement; Govr. Folch, in his answer to a letter addressed to him a few days since by commodore Porter on the subject of deserters, contends that the injury is reciprocal, and says— "I can assure you, without being afraid of incuring a mistake, that there exists at present in this City (New Orleans) and its limits from four to five hundred deserters and malefactors whom to

fly the rigor of the Law, have come to take refuge under the sovereignty of the U. States." Governor Folch alludes to persons who have fled from his own immediate command, and I suspect he does not over rate their number. From the aspect of European affairs, as portrayed in the News-papers, it seems that Spain has fallen, and that Portugal has a second time been conquered by the French; But what is to be the fate of the American Dependencies remains to be determined. It is greatly to be desired, that they may not fall either commercially or politically into the hands of Great Britain or France, and without a severe struggle, one of the other event, seems to me inevitable; single handed, neither Mexico or Cuba could maintain their independence. The enthusiasm of the People could not long be maintained and divisions would speedily arise; The Leaders therefore must look for foreign support; If it is afforded by England, a commercial Monopoly will most probably be demanded, as the *quid pro qua*— And if conceded, I question much, whether it would not ultimately prove as injurious to my country, as if the sovereignty of those Provinces should pass to Joseph Napoleon. I certainly am a sincere admirer of the Policy, which has hitherto preserved the U. States in Peace; But I fear, it will be difficult much longer, to avoid taking a part in a War the issue of which must affect more or less the whole civilized World!

The interest of the U. States requires that all European influence, should be banished the continent of America; The present crisis is favorable to the accomplishment of so desirable an object. But the whole ground can best be seen by our Government, and I am persuaded it will pursue the wisest course. The army consisting of upwards of two thousand Men, is still quartered (and necessarily expensively) in this City; General Wilkinson

is solicitous to form an Encampment somewhere in the Country; But it is not easy to select an eligible position. The swell of the Mississippi continues such, as to render the adjacent Lands too moist to be occupied, without endangering the Health of the Troops, and if a cautonment was formed on the Lake the Musquetoes and land Flies, would prove a serious annoyance.

Signed, Wm. C. C. Claiborne.

To Robert Smith

N. O. May 15th 1809.

Secy. of State.

A vessel from St. Yago, with a number of French passengers and thirty six slaves, is now near this City. The difficulties which the Law of the U. States oppose to the introduction of these slaves into the Territory, have induced a number of a very respectable and humaine Citizens, to address to me a Petition, which I have now the honor to enclose you.

The situation of these unfortunate People excites in a great degree my sympathy. But my powers do not permit me to interfere in their favour, otherwise than to lay their case before the President. It is stated to me, that the whole number of French families from Cuba, who propose to take refuge in this Territory, may probably be accompanied by from 250 to 300 slaves.

Signed Wm. C. C. Claiborne.

P. S. At the moment, I had closed this letter, Mr. Deforge, the French Consul entered my office, and told me his business was to inform, that within 10 days, there would probably arrive here, about two thousand French from St. Yago, & that at least six thousand more from Havanna, might be expected in three or four weeks; the object of his visit was, to consult with me, as to the best mode of providing for these unfortunate People.

I replied that the French Minister would doubtless

furnish means for their present support, and advised the Consul to write him immediately on the subject: and requested him to call again on tomorrow. I really fear that so great and sudden an Emigration to this Territory, will be a source of serious inconvenience and embarrassment to our own Citizens.

Signed, Wm. C. C. C.

To Capt. Sam. B. Davis

N. O. May 16th 09.

It having been represented to me, that the Laws and Regulations, "for the better arrangement of the Shipping and the security thereof in the Port of New Orleans", were not known, or if known, were entirely neglected, I have caused the same to be published, and now transmit a copy for your Instruction. I avail myself of this occasion to inform you, that it has also been represented to me that the Public Interest sustains an injury from the Harbour Master's, residing out of the City, and not attending in person to the duties of his office.

Signed, Wm. C. C. Claiborne.

The officer Commanding N. O. May 16th 09.
at Plaquemine.

You will permit the Schooner Louisa, Captain McDonald from St. Yago, with Passengers and some Negores on Board to pass the Fort. You will be pleased however, to inform the Captain, that the Law does not permit the landing of the Negro's.

Signed, Wm. C. C. Claiborne

W. S. Hamilton Esqr. N. O. May 17th 1809.
Judge Advocate.

I have received your note of this morning.

Being at present much occupied with the Business of my office, I shall feel obliged, if the Court will dispense with my attendance until Tomorrow, when I will with pleasure, wait on them at such hour and place, as you shall name.

Signed, Wm. C. C. Claiborne.

To Mr. Thomas Jefferson, Monticello, Virginia

(Private) N. O. May 17th 09.

At the request of Col: Le Blanc late an officer in the Spanish service, and one of the most respectable and ancient Inhabitants of this City, I have the honor to enclose for your acceptance, a Tragedy in manuscript, of which the Colonel is himself the author.[1] I do not know, that this production as relates to the stile and manner, possesses an peculiar merit; But when we bear in mind, that the tragical Scene which it is designed to perpetuate, was really exhibited (and of which several aged Citizens can testify) I trust, the perusal will be found interesting.

Assured, that altho' retired to the calm walks of private Life, the interest of your beloved Country, will remain the dearest object of your heart, I take pleasure in informing you, that this Territory continues to prosper, and that the attachment of the People (particularly of the natives of Louisiana) to the Government is becoming every day the more sincere. I fear however, that the misfortunes of Spain and her Colonies will give to

[1] An early manifestation of the literary spirit of Louisiana.

this *Territory* an encrease of population, which may retard the growth of the true American Principles; Of the French banished from Cuba Sixty have reached this City; near 600 are supposed to have arrived at the Balize, and from 12 to 1500 more from St. Yago, are daily expected. The French Consul (Mr. Deforge) has also advised me, that in addition to those coming from St. Yago, many families residing in and near the Havanna including several thousand Souls propose to take refuge in this Territory, and will probably arrive in the course of three or four weeks. These unfortunate People, are for the most part destitute of pecuniary resources, and for the means of present support must depend upon the Bounty of this Society. It is reported today, that the few french families who resided at Pensacola have been obliged to remove, and that the French or their descendants who are attached to the Army of Spain in the Florida's, will probably find it safe to retire from the service. In these evil Days— When the Revolutionary Spirit has approached so near, and a War of such Bitterness is raging, the issue of which must affect more or less, the whole civilized World, I greatly rejoice, that the Government should have made seasonable provision for the protection of this remote and exposed Section of the Union. The ordering on this Station so strong a Detachment of Troops and of Gun Boats were indeed wise measures of precaution.

Receive I pray you my best wishes and believe me to me

Dear Sir,
your grateful fellow Citizen
and faithful friend
Signed, Wm. C. C. Claiborne.

N. O. May 18th 1809.

To Captain Many Commanding officer at Fort St. Philip.

You will permit the schooner Little Mary, (Captain Gash) from St. Yago, with Passengers, and some Negro's on board, to pass the Fort.

You will however inform the Captain that the Laws do not admit the Slaves to be landed, and that if it should be done, his vessel will be forfeited, and other penalties will be incured.

Signed Wm. C. C. Claiborne.

N. O. May 18th 1809.

Capt. Many.

Permit the Spanish Schooner Tomas (Joseph Y. Valensuela Captain) from St. Yago, with passengers (and sixty slaves on board) to pass the Fort.

But you will be pleased to inform the Captain, that if a single slave should be landed, his Vessel will be forfeited, and other penalties incured.

Signed, Wm. C. C. Claiborne.

N. O. May 18th 1809.

Capt. Many.

Permit the Spanish Schooner Esperance (Jose Font Captain) from St. Yago, with Passengers (and forty nine Slaves) to pass the Fort. You will however inform the Captain, that if a single Slave should be landed, the Vessel will be forfeited and other penalties incured.

Signed, Wm. C. C. Claiborne.

N. O. May 18th 09.

Capt. Many.

You will permit the Schooner Collina (Captain Warnom) from St. Yago, with Passengers (& 14 slaves) to pass the Fort. You will be pleased however to enjoin

it upon the Captain not to land a single slave, on penalty of having his Vessel forfeited.

Signed, Wm. C. C. Claiborne.

To Julian Poydras

(Private) N. O. May 22nd 1809.

Julian Poydras.

a delegate to Congress.

Of the French banished from Cuba about two hundered have reached this City; near 1200 are supposed to have arrived at the Balize, & several thousand more are expected. These unfortunate people have brought with them a few Domesticks. But the importation of slaves into the Territories of the U. States being prohibited, they (the Slaves) have not been permitted to land, and the Vessels importing them have been seized by the Collector.

The Mississippi continues high; The Levee has given way in several places. But the Farmers have not yet sustained any injury.

Thierry's Response to Mr. Duponceau's last pamphlet on the subject of the Batture is finished, and will soon be printed; I think it will be satisfactory. I wish it were possible for the committee to whom Mr. Livingston's petition is referred, to visit New Orleans; they could not I am sure, hesitate to report, that "the place called the Batture was not susceptible of private claim". It is in truth, a part of the Bed of the Mississippi, and as such, for near 6 months in each year, is used as a high way by persons trading by water to New Orleans. The Batture is at this time covered with water, and furnishes a safe harbor for several hundred Flats and Barges coming from the Western Country.

I congratulate you Sir, on the adjustment of our differences with England; I sincerely hope, that France

may also be disposed to be just to the U. States. Cotton commands 17 cents and is said to be rising. Mrs. Claiborne desires to be affectionately remembered to you.

Signed, Wm. C. C. Claiborne

To Robert Smith

N. O. May 18th 1809.

Secy. of State.

I have the honor to enclose you a Copy of Memorial to Congress, adopted by the Legve. Council & House of Repves. of the Ty. of Orleans at the last Session, the object of which is, to obtain the early admission of this Ty. into the Union, as a Member State.

I am not from principle an advocate for Territal. systems of Govt., nor during my Agency in their Administration, have I experinced as much satisfaction, as to have created a personal Bias in their favour; but really it seems to me that the system as relates to this District, cannot yet be done away without hazarding the Interest of the U. S., and the welfare of this Community. I can bear testimony to the good intentions and amiable character of a majority of the Inhabitants; to their industrious and virtuous habits; to their obedience to the Laws, & growing attachment to the American Govt.; But they nevertheless are not prepared for self Govt. to the extent solicited by the Legre. The Govt. of the Ty. in its present shape is with some difficulty administered; & as much power has been vested in the People, as is (for the present) likely to be used with discretion. Our population is a mixed one, & composed of very discordant materials; But the Mass of the Inhabitants still entertain strong prejudices in favor of their ancient Laws and usages & should the immediate controul of the Gen. Govt. over this Ty., be now withdrawn those great principles of Jurisprudence, so much admired in the U. S.,

would not meet here that patronage, which the genl. Interest require.

In 1806 a Census of the Inhabitants of this Ty. was taken, & I believe with great accuracy: There were then 52,998 souls of which 23,574 were slaves, & 3,3555 free people of Colour, leaving *a white population* of 26,069; *of these* at least 13,500 are natives of Louisiana, for the most part descendants of the French; about 3,500 natives of the U. S. & the residue Europeans generally, including the native French, Spaniards, English, German and Irish.

I have no document which enables me to state with certainty the number of the several description of Persons composing the white population; But the above is I am sure very near correct. Since the year 1806, the emigration has been been considerable; it may have given us an encrease of between 3 & 4 thousand free persons, two thirds of whom are native Americans. But it is understood, that many of the unfortunate People lately banished from Cuba, will seek an Asylum in this Ty. & that in a few weeks, the french population may receive an addition of several thousand.

The Memorial met with considerable opposition in the House of Representatives, & on its final passage the votes were eleven in the affirmative & seven in the negative. I much doubt, whether "if a question as to the early reception of the Territory into the Union as a State", was submitted to the People, there would be found a majority in its favour. Of one fact I am assured, that a great majority of the native Citizens of the U. S. residing here are against the measure, as are also many of the native Louisianians. I was the other day in conversation on this subject, with a very respectable & influential Planter. And among other objections to the Prayer of the Memorial, he stated—"That the time was illy chosen"; that "when the Spanish possessions in

our vicinity were on the eve of a revolution, & we knew not in what manner, the U. S. and this Ty. in particular might be affected by the war now raging, the period was not favorable for organizing a State Government; That the Taxes already imposed by the Territorial authorities were as great as the people could conveniently meet, and that no change was for the present desirable, which would be accompanied with an accumulation of expense"; He noticed also, "the negligence of his fellow Citizens in making use of the privileges already conferred on them, and doubted, whether, they were yet sufficiently informed on political matters, to conduct a State Govt." These remarks were just. The time is indeed illy chosen; there is moreover a want of information among the Body of the people; the Rights of the Citizens are not generally understood, & his duties (more particularly political) often neglected. The Apathy which prevails at our elections has been remarkable. In Counties, where there are more than two hundred voters, there are instances of Persons being returned as Representatives to the General Assembly by a lesser number than thirty suffrages. And hitherto it has seldom happened, that at any election, however contested, a majority of the voters have attended the Polls.

On transmitting a Copy of this Memorial to the Department of State, I have to regret Sir, that my sentiments as to its object, should not accord with those of a Majority of the Members of the Legve. Council & H. of Repves., for whose integrity of character I feel the highest respect, & in whose good intentions I fully confide. But whilst my Judg'ment assures me, that it would at this time be inexpedient to admit this Territory into the Union as a Member State, I should be wanting in duty were I not to suggest the necessity of amending the Ordinance of Congress of 1787 which has been extended to the Territory of Orleans, & more 'specially as relates to

our Supreme Judiciary. I believe also, that an encrease of the Members of the Legislative Council would meet the interest and wishes of the Citizens: But for my opinions on these points, and the reasons which induce them, I must beg leave to refer you to the enclosed extracts from a communication which I addressed to the two Houses of the Territorial Legislature on the 14th Jany. last.

Signed Wm. C. C. Claiborne.

To Robert Smith

N. O. May 20th 1809.

Secy. of State.

A vessel from St. Yago, with 99 white Passengers and 28 Slaves arrived at this Port on yesterday. The Passengers with their Baggage have been permitted to land; but the Slaves are detained on board, and the Vessel is under seizure. The Passengers, or rather the Heads of families, shortly after their arrival, presented themselves at my office. And gave me to understand that "they were an unfortunate and an unoffending people, who forced by the Government of Cuba to abandon that Island, had come to seek an Asylum under the Government of the U. States; that they were all farmers, and greatly desirous to possess themselves of some lands, on which (with the permission of the Government) they proposed *to reside for life;* that having been obliged to make great sacrifices of their property in Cuba, their pecuniary means were limited; too much so, to continue in this City, and that as well from necessity as choice, they should retire to the interior of the Territory as soon as possible"; They lamented the obstacle which the Laws opposed to the landing of the few faithful domesticks who had accompanied them in their misfortunes, and whose services were now so essential to their support, and they seemed to indulge a hope, that Congress when advised

of their unhappy situation, would pass a special Act in their favour".

After expressing my sympathy for their misfortunes, I observed that "the stranger who should seek an Asylum in the U. States was amply protected by the Laws, and secured in the enjoyment of the fruits of his industry; that the importation of *Slaves* into the Territory of the U. States, being prohibited, the Vessels importing them, must be proceeded against as the Law had directed; That considering the peculiar and distressed situation of the Passengers, and the difficulty and expense which would have attended the transportation of themselves and Baggage from Plaquemine, I had dispensed with a Regulation of Police. (which was to detain all vessels with slaves from a foreign Port, at the Fort at Plaquemine) and permitted the Vessel to approach the City. But that it was not in my power (as related to the slaves) to extend to them a further indulgence.

The enclosed (A) is a letter which has been addressed to me by Mr. Maurice Rogers the United States Consul at St. Yago— from which it appears that he "had apprized the French Inhabitants, who held Slaves, of the Law which prohibited their introduction into the Territories of the U. States"; but that he "should not have thought himself wholly acquitted on the score of humanity, had he utterly extinguished their hopes, that in their peculiar Situation, the Government may have the power and the inclination to grant them some relief from the precise rigor of established Statutes".

I also enclose you a Copy of a Note (B) from Mr. Brown advising me of the seizure of several Vessels with slaves on Board, and soliciting a Military Guard for their safe keeping. The Guard shall be furnished.

I believe the number of French from Cuba, who will seek (immediately) an Asylum in this Territory, will not be as great as Mr. Deforge the French Consul had sup-

posed. The accounts are various, but from the best information I can obtain on the subject, they will not exceed four thousand, and it is represented to me, that by far the greater number, will be persons of good character. The worthless part of the French at St. Yago & Havanna, (and who had no property to loose) are stated very generally to have taken their Departure at the Commencement of the troubles, those emigrating to this Territory, are said, for the most part, to be industrious planters and mechanics, who having some property on the Island, continued as long as their safety permitted in order to dispose of the same to the best advantage. Some uneasiness is expressed at the coming of these unfortunate exiles into this Territory, and the expediency of refusing them an Asylum has been suggested. I am aware Sir, that if the presence of such a Body of Strangers, would endanger the political safety of the Territory, I should possess the power nor would I hesitate to order them to depart: But existing circumstances do not justify an apprehension of the kind. They may indeed subject the good Inhabitants of the Territoy to some inconvenience, and I regret to see a space in our Society filled with a foreign Population, which I had hoped would have been occupied by native Citizens of the U. States. But these considerations do not authorise me to withhold that hospitality and indulgence which humanity and courtesy require, and to which their peculiar and distressed Situation so strongly recommend them. The only obstacle therefore I shall oppose to the approach of the free Passengers to New Orleans (for they are not states to be infested with any contagious disease) will be a short detention of the several Vessels at the Fort at *Plaquemine,* and to permit their departure from *thence* at such periods, as may prevent this City from receiving at the same moment, a too great influx of visitants, and to give

time to those previously arrived to disperse and retire to the Country.

I had written thus much of this letter, when a French Gentleman desiring to see me, was introduced into my office. He said the object of his visit was to represent—"That among the French sufferers arrived and daily arriving here from St. Yago and Havanna, there would be many who would desire to be transported to France or some of her West India Islands, and that for this purpose he wished thro' me to make application to the General Government to vest the Governor of this Territory with authority to grant" a Flag of truce as he termed it; I told the Gentleman that I would lay before the president his request.

Signed, Wm. C. C. Claiborne.

To James Wilkinson

N. O. May 20th 09.

Genl. Wilkinson.

The Collector of the Port advises me of his having seized several Vessles arriving hence from a foreign Port with Negro's on board, and of his intention to have them stationed on the other side of the River near the Powder Magazin, and requests, that a Military Guard may be furnished for their safe keeping. Believing my self, that if the officer commanding the Magazin Guard, was directed to take the Vessels alluded to in charge, and not to permit the Slaves or any of them to be landed, the object designed, would be accomplished, I take the liberty to solicit you to give orders to that effect.

Signed, Wm. C. C. Claiborne

Capt. Many N. O. May 22nd 09.
Plaquemine.

You will permit the Schooner Clarissa from St. Yago, with Passengers (and Sixty Slaves on board) to pass the

Fort. You will however be pleased to inform the Captain, that the Laws do not permit the Slaves to be landed.

Signed, Wm. C. C. Claiborne

N. O. May 22nd 1809.

Capt. Many.

On the third day after the receipt of this Note, you will permit the Schooner Dispatch (Captain Rogers) from St. Yago, with Passengers (and 59 Negro's) to pass the Fort. You will be pleased however to inform the Captain, that the Laws do not permit the landing of the Slaves. Captain Rogers is detained at the Fort three days, from a wish I feel to prevent this City from receiving at the same moment, too great an influx of Strangers, and to give those previously arrived an opportunity to disperse & retire into the Country.

Signed, Wm. C. C. Claiborne.

N. O. May 22nd 1809.

Capt. Many.

Three days after the receipt of this Note, you will permit the Sloop Polly (Captain Miner) from St. Yago, with Passengers (and some slaves on board) to pass the Fort.

You will inform the Captain, that the Laws do not permit him to land the Slaves.

Signed, Wm. C. C. Claiborne.

Same Date.

To the Same.

Three days after the receipt of this Note, you will permit the Spanish Schooner Sierro (Captain Jose de Lara) from St. Yago, with Passengers (and 61 Slaves on board) to pass the Fort.

You will &c. (as above).

Signed, Wm. C. C. Claiborne.

To Judge King

N. O. May 25th 1809.

I have the honor to enclose you a printed copy of an Act for the relief of certain Alibama and Wyandott Indians.

The President of the U. States having instructed me "to cause the Tract intended for the Alibama's to be located in a convenient situation and free of any prior Claims", I have to request your assistance in selecting a suitable position. It is however desirable, previously to consult the litle Tribe for whose benefit the Grant is designed; Will you be pleased therefore to assemble the Alibama's and endeavour to fix on a Tract, conveniently situated, and free of any prior Claims, and which shall also be acceptable to them.

Being desirous to carry into immediate effect, the benevolent views of the Government, I must ask of you the favour to report to me, the result of your conference with the Alibama's as soon as your convenience will permit.

Signed, Wm. C. C. Claiborne.

P. S. In order to determine whether the "Tract" you may select "is free from prior claims", it is best, that you consult, the Register of the Land office—Colonel Thompson.

Signed, Wm. C. C. C.

To the Parish Judge
& Justices of the Peace
of
Point Coupee.

N. O. May 26th 1809.

I have heard with great regret, that the divisions among the Inhabitants of Point Coupee still exist, & that on a late occasion, the good order of the Parish was disturbed, and the public peace menaced. It is a matter,

of still greater regret that the affairs of the Church should have added to the flame of party Spirit and that a Congregation of Christians instead of practising charity and good will, should have yielded to the Angry passions, and committed excesses, which upon reflection, they themselves must censure.

It is not my province to enquire with whom the Keys of the Church should be deposited. That may be made a question of private Right, & fall under Judicial Cognizance, like other controversies between Individuals. Unless therefore Mr. l'Abbe L'Esjinasse should willingly separate himself from his "devided flock", of the Vicar General of the Catholics (who I am told possesses the power) should think proper to recall him and send to Point Coupee a priest more likely to reconcile the Parishioners each one to the other, it will rest with the Supreme Judiciary to say, whether the Abbe be or be not entitled to the possession of the Church.

As relates to the Parish Judiciary, if the conduct of the Parish Judge be cause of uneasiness to the Citizens an application for his removal (since the Judge is Commissioned for four years, and that term not yet expired) should be directed to the ensuing Legislature who will no doubt, do that which justice to the individual and to the public shall prescribe.

I am persuaded, that if the good people of Point Coupee, would for a moment consult their Judg'ments, they would be convinced that it was far better to apply to the constituted authorities for a redress of grievances, than to attempt to prescribe a remedy for themselves: But if unfortunately there should be found Individuals still indisposed to respect the good order of Society, I shall look to you for a faithful discharge of your duties, and shall expect, that you will resort to such penal and pre-

ventive measure as the Law prescribes in cases of a Breach of the Peace.

Signed, Wm. C. C. Claiborne.

To Albert Gallatin

N. O. May 27th 1809.

Secy. of the Treasy.

I have received your letter of the 5th of April enclosing a printed Copy of an Act for the relief of certain Alibama and Wyandott Indians, and of a letter you had written on the subject to the Surveyor of the public Lands South of Tennessee.

In conformity to the instructions of the President I have taken measures "to cause the Tract of land intended for the Alibama's to be located in a convenient Situation and free from any prior Claims", and shall have the honor to inform you fully on the subject, so soon as I shall have received the Report of the Judge of the Parish of Opellousas, whom I have requested to assemble the little Tribe of Alibama's for whose benefit the grant is designed, and to endeavour to select a position which shall meet the views of the President and also be pleasing to them.

Signed, Wm. C. C. Claiborne

To Albert Gallatin

N. O. May 28th 09.

Secy. of the Treasy.

I beg leave to recommend the sale of the House and Lot in this City, the property of the U. States, at present occupied by the Governor of the Territory. The House is very much out of Repair, and unless the Government should appropriate two or three thousand dollars for its improvement, will soon (I fear) become untenantable. The Lot (which includes nearly a whole square) fronts the River Mississippi, is situated in the center of the

City, and would meet with an immeidate sale, & if devided into small parcels and sold on a short credit, would command from sixty to seventy thousand Dollars, and perhaps more. I should hope Sir, that from the proceeds of this Sale, the Government would permit the purchase of a comfortable Building for the accomodation of the Governor of the Territory for the time being; One of that description, with a convenient Lot adjoining, may now be obtained for 25, or 30 thousand dollars, which in five or six years hence, (judging from the rapid encrease of real property in New Orleans and its vicinity) would sell for a much greater sum.

Signed, Wm. C. C. Claiborne

To Julian Poydras

Private N. O. May 28th 09.

A Delegate to Congress.

I am sorry to inform you, that the divisions at Point Coupee still exist, and that your friend Mr. A. Bauvais, has been wounded, but not dangerously in a duel with Charles Morgan. I have this day seen the Vicar General, and he assures me that he will immediately recall Mr. Lespinasse, and send to Point Coupee a Priest better calculated to reconcile the Parishioners each one to the other.

Mr. Thierry's Response to Mr. Duponceau's last essay on the Batture is not yet printed; so soon as it comes from the press I will transmit you a Copy. It seems that the friends of Mr. Livingston thought proper to file his claim before the Board of Commissioners, and thus to submit to the proper legal Tribunal. A copy of the claim as filed in the Register's office, with the Register's Certificate annexed is enclosed; and I pray you to place this paper in the hands of the Attorney General of the U. States.

The poor people from Cuba are arriving here every week; but their numbers will not be as great as was at first imagined; they will not (I think) exceed three thousand: The Negro Slaves are not permitted to land—the slaves are not numerous—they will not exceed three hundred, and the greater part are women and Children. Their masters discover a great solicitude to maintain them in their service, and I am assailed every day with entreaties to interfere in their favour; A Father of a family will assure me, that one & sometimes two or three faithful slaves constitute his only means of support—& a Lady will pray me to have pity on her Infant Child whose nurse is not permitted to leave the Vessel. With all my Heart do I sympathise with those poor people; But you know, that Congress can alone give them relief, as relates to their slaves.

Commerce is becoming brisk, and the City continues healthy.

Mrs. Claiborne desires to be affectionately remembered to you.

Signed, Wm. C. C. Claiborne.

To James M. Bradford

Private N. O. May 29th 1809.

The enclosed packet, which was handed to me, about an hour ago, would have been returned unopened, had I suspected the source from whence it came.

The *Statement* of my conduct towards you, as prepared by yourself, and which you propose to lay before the Public, is thro'out very different from the *one*, I would have given as being founded in truth. But publish what you please, you may (alike with the Public accuser) be assured of receiving no reply, for I deem it improper to enter into a controversy with any Individual touching my official acts.

As relates to yourself Mr. Bradford, I am only conscious of having committed one error, and that was, not having dismissed you as a Public Printer at a much earlier period.

Signed, Wm. C. C. Claiborne.

To Robert Smith

(Private) N. O. May 30th 1809.

Secy. of State.

I enclose you a letter from Mr. Dorgenoy resigning the office of Marshall of the District of Orleans.

The private reasons, which Mr. Dorgenoy assigns for resigning, are his advanced age and inability to discharge in person the duties of his office.

Under an impression, that it may be agreeable to the President, to confer some one of the Civil offices created in this Territory by the Acts of Congress, on a Creole or native of Louisiana, I beg leave to recommend as Mr. Dorgenoy's successor, Mr. John Michel Fortier of this City. Mr. Fortier possesses (and very deservedly) a great share of the esteem and confidence of his fellow Citizens. He is about 30 years of age—of amiable private character; has been (tolerably) well educated; Speaks and writes English correctly—is much attached to the Government of the United States, and connected with one of the most numerous and respectable families of the Country.

I am Sir,
Very respectfully,
yo: hble. Servt.
Signed, Wm. C. C. Claiborne.

Private N. O. May 30th 09.

Sundry Inhabitants.

Permit me to introduce to you acquaintance and to recommend to your Civilities Mr. Miller of the State of Virginia, who is on a tour thro' the Territory, with a

view of selecting some elibible spot for his future residence.

Mr. Miller was late a Member of the Virginia Legislature, and is esteemed by those who know him as an amiable man and a useful Member of Society.

Signed, Wm. C. C. Claiborne.

(Private) N. O. June 1st 1809.

Lady Abess.

The enclosed letter to you from the President of the U. S., has been committed to my care, with a request, that I would cause it to be safely delivered.

I have the honor holy Sister to tender you my friendly salutations.

Signed, Wm. C. C. Claiborne.

N. O. June 1st 1809.

Hatch Dent Esqr.

In compliance with your request, I accept the Resignation of your Military and Civil appointments in an for the County of Rapide.

I take this occasion to thank you, for your faithful public services; to offer my best wishes for the speedy recovery of your health— And to assure you of my great esteem & respect.

Signed, Wm. C. C. Claiborne.

N. O. June 1st. 1809.

Capt. James Sterrett.

Your letter of yesterday has been received.

The Gentleman holding the office of Clerk of the Supr. Court, was, at *the time* my right to appoint was acknowledged, prefered to any other, nor have I since

had cause to be dissatisfied with the choice then made. The information given you by your friend should not influence your future operations; I have expressed no such intention.

Signed, Wm. C. C. Claiborne.

To Robert Smith

N. O. June 1st 1809.

Secy. of State.

I have the honor to acknowledge the receipt of a Commission for my much respected friend Mr. Martin Duralde of Attakapas, as a Member of the Legislative Council of this Territory, and it shall be delivered on his arrival in this City, which is expected in two or three days. I much fear however, that Mr. Duralde's great old age (being upwards of Seventy) may induce him to decline the honor confered on him by the President; And in this event, I shall have to regret, that the Spirit of the Ordinance does not permit the President to appoint the other Gentleman recommended, Mr. Thomas Urquhart, whose great integrity of Character and sincere attachment to the Interests of the Territory, have secured him a great share of the confidence of his fellow Citizens.

I avail myself of this occasion to pray you to lay before the President, the enclosed extract from the Journal of the House of Representatives, furnishing the names of two Gentlemen, Messrs. Andy & Wykoff, who are recommended to supply the vacancy in the Council, occasioned by the death of Colo: J. B. Macarty. Manuel Andry is a Planter; a native of Louisiana, and resides on his Sugar Plantation about 12 Leagues above New Orleans; He is a very honest man; is held in high estimation by his neighbours, and has for four years past, represented his County in the House of Representatives of the Territory. William Wykoff Junior is also a Planter— a native of Pensilvania, and resides on his

Cotton Plantation nearly opposite to Baton Rouge; He is likewise a very honest man— is held in high estimation by his neighbours and is now & has been for some time past the Judge of his Parish. Messrs. Wykoff and Andry are each Colonels of Militia, and their conduct has alike been satisfactory to me. Colo: Andry speaks french only; Colo: Wykoff speaks English, French & Spanish. There is at this time no native Citizen of the U. States a Member of the Council, nor does either of the present Councillors reside in the same District with Colo: Wykoff.

Signed, Wm. C. C. Claiborne.

To Josiah Johnson

N. O. June 2nd 1809.

I have the honor to enclose you a Commission as Major in the 10th Regiment of Militia, to supply the vacancy occasioned by the resignation of Major Hatch Dent.

In the event of your acceptance, you will be pleased to report to me, with all convenient dispatch, the State of the Rapide Battalion; Noting the vacancies in the Several company officers, and recommending Suitable Characters to fill the same.

For the present your Battalion is attached to the 10th Regiment, commanded by Colonel Shaumburgh; But so soon as the population of Rapide will permit, it will be formed into a Regimental Circle.

Signed, Wm. C. C. Claiborne.

To Judge Claiborne

N. O. June 2nd 1809.

Enclosed is a Commission for Mr. Garret Rison as Sheriff of the 4th Superior Court District, which you will be pleased to deliver. In the event of Mr. Rison's

acceptance, you will administer to him the necessary oaths of Office, and take, and transmit to my office, a Bond as required by Law, for the faithful discharge of the duties of his office.

Signed Wm. C. C. Claiborne.

To John Sibley

N. O. June 3rd 1809.

Your letter of the 2nd of May has been received.

The several Tribes of Indians residing in this Territory, will I am sure receive from Congress a small grant of Lands to reside on, provided their claims for such liberality, be equally strong with those of the Alibama's to whom a donation has been made. You will be good enough therefore, to State more in detail, than you have done in you letter, of the 2nd of May, the number, character and present Situation of the several Tribes to which you have allusion, And to note also the length of time they have respectively resided within the limits of this Territory. I would wish you further, to add your opinion as to the quantity of Land, which should be given to each Tribe, and where the same should be selected, so as to give the least inconvenience to the Inhabitants.

I should suppose, that the Commissioners of the Land office, would examine with great Strictness all Titles arising under Sales from Indians, and that until the Commissioners had given a Certificate that the Titles thus derived were good, no attempt ought to be made to dispossess the present Incumbents. I however am desirous to learn more particularly the extent and nature of the purchases of Lands in this Territory from Indians, and will thank you for such general information upon the Subject as you may be possessed of.

Signed, Wm. C. C. Claiborne.

Capt. Many, N. O. June 3rd 09.

Permit the Spanish Schooner Clara, (Joseph Carbonell y Coll master) from St. Yago, with Passengers (and some Slaves) to pass the Fort. You will be pleased however to inform the Captain, that the Laws do not permit him to land any one of the Slaves.

Signed, Wm. C. C. Claiborne.

On Wednesday the 25th day of January, 1809.[1]
In the House of Representatives of the territory of Orleans:

Resolved that Messieurs Manuel Andry and William Wykoff Junior, be recommended to the — President of the United States to— supply the vacancy in the Legislative Council of this territory owing to the death of the Honorable John Ble Macarty and that the Speaker of this House do send their names to the President of the United States— together with an extract of the— Journals of this house containing every thing which relates to their election./.

Attest: Eliguis Fromentin
Clerk of the house
of Representatives.

On monday January the 23rd 1809
in the House of Representatives
of the territory of Orleans

The house proceeded to the election by ballot of two persons whose names are to be sent to the President of the United States to fulfill the vacancy in the Legislative council by the death of Mr John B. Macarty.

& at the opening of the ballot it appeared that out of

[1] Beginning of Volume VI.

eighteen voters who were present, Mr Manual Andry had obtained twelve votes.

Mr Andry having obtained the majority of the votes of all the members who were present was declared duly elected one of the two candidates whose names are to be sent to the President of the United States.

None of the other candidates having the majority of the votes of all the members who were present, The house proceeded to a second ballot, then to a third; & at the opening of the third ballot, it appeared that out of nineteen votes who were present, M William Wykoff junior had obtained ten votes.

Mr Wykoff having obtained the majority of the votes of all the members who were present, was declared duly elected one of the two candidates whose names are to be sent to the President of the United States.

Whereupon Resolved that Mess. Manuel Andry & William Wykoff junior be recommended to the President of the United States to supply the vacancy in the legislative council of this territory owing to the death of the Honble John B. Macarty; & that the Speaker of this house do send their names to the President of the United States, together with an extract of the journals of this house containing all the proceedings relating to their election.

Attest: Eliguis Fromentin
Clerk to the house of Representatives of the territory of Orleans.
Clerk to the house of
Representatives of the territory
of Orleans.

To Robert Smith

Sir July 8 09

I have the honor to enclose you a correct statement of the executive acts of the Governor of the Territory of Orleans from the first of January 1809 to the 30 of June last—

I also transmit to you the Mayors last report in relation to the people of all descriptions who have arrived here from the Island of Cuba—in addition to them, there are about one thousand on their way up the river and without the bar. with respect to whom there is as yet no official return— The slaves have been all delivered to their Masters they giving bond with security to have them forthcoming when demanded.—

The French Consul proposed to me (the Governor being absent, to bind his government as security for the redelivery of the slaves— This proposition met with no encouragement— in the first place I doubted his power— and in the second I could not acquiese in the right of the French or any other government to interfere in an affair exclusively of municipal concern—

The Governor is at present in the neighbourhood of Natchez on a visit to his brother, I received a letter from him a few days ago informing me of his intention to be in this City on or before the 16 of this month.

I have the honor to be
with perfect respect
your ob. St.
W. B. Robertson

The Honble
Robert Smith
Secretary of State
Washington.

Orleans. }

MAYOR'S OFFICE.

An Extract from the Lists of Passengers reported at the Said Office by the Captains of Vessels who have Come to this Port from the Island of Cuba,---------- VIZ ----------

Vessels' Names.	Masters' Names.	From Whence Coming.	Number of White People.			Number of free Colored and Black People.			Number of Slaves.		
			Men.	Women.	Children under 15.	Men.	Women.	Children under 15.	Men.	Women.	Children under 15
Schr. Neustra Senora Del Carmen	A. V. Rodriguez	St. Yago de Cuba	72	"	"	14	8	5	10	5	17
Sch. Louisa	Dan McDonald	..... do	18	12	5	5	8	"	9	8	2
Schr. Le Jean	..... Good	Havanna	37	5	5	"	"	"	1	"	"
Schr. Ciervo	José de Lara	St. Yago de Cuba	16	10	22	2	1	"	23	23	17
Schr. La Collina.	Warnum	..... do	24	8	2	"	52	31	1	7	5
Schr. Petite Marie.		..... do	23	20	0	6	28	19	15	43	24
Schr. L'Esperance.	Jh. Fant	..... do	21	9	12	7	26	34	20	20	8
Schr. Swiss.	Jh. Watts	..... do	32	16	6	7	29	22	26	30	28
Schr. Thomassa.		..... do	15	10	7	6	33	24	12	26	14
Sloop Polly.	Danl. Meunier	..... do	18	7	16		20	30	6	22	7
Schr. Dispatch.	Libbens Rogers	..... do	31	22	4	4	8	"	17	38	2
Schr. Clarissa.		..... do	27	16	9	11	18	16	18	22	16
Schr. La Rosalie.	Raimond Petit.	..... do	20	3	6	12	32	17	7	2	2
Chebeck Venganza.	José Ruiz	..... do	11	6	11	5	13	11	20	26	11
Chebeck Le Sauveur.	André Perodin.	..... do	18	7	5	2	7	6	15	13	9
Schr. Clara.	Carbonell	..... do	7	3	6	3	20	18	7	16	13
Ship Artic.	Geo. Davies.	..... do	43	27	40	3	44	29	50	69	4
Schr. Fanny.	Fs. Pinau	..... do	9	1	"	"	1	"	2	2	2
Schr. Santa Rita.	Domgo Ortis.	..... do	6	"	"	7	12	12	7	9	8
Ship Caridad.	Dgo de Zurbano.	..... do	49	26	25	11	40	47	56	73	59
Schr. Triumph.		..... do	10	10	8	14	4	11	24	26	22
Sloop Ste. Francisca	Pablo de Soria	..... do	8	3	9	"	4	8	4	6	5
Schr. Neustra Del Carmen.	Francs Andrades.	..... do	9	3	"	4	17	20	4	10	4
Brig Francis.	E. C. Gardner.	..... do	35	34	74	24	26	49	15	41	42
Ship Beaver.	Jose Alford.	..... do	81	52	31	5	49	63	34	67	35
Schr. Freeman Ellis.	Robt. I. Sparrow.	..... do	37	19	17	9	30	30	4	13	11
Schr. Milford.	Wm. Hendy.	..... do	30	17	6	7	23	27	32	25	15
Sloop Polly.	Isaac Hopkins.	..... do	22	8	3	10	49	54	7	9	10
		Carried Over	729	354	335	178	608	583	452	651	392

City of New)
)
Orleans)

MAYOR'S OFFICE

Continuation of an Extract from the Lists of Passengers reported at the said Office by the Captains of Vessels who have Come to this port, from the Island of Cuba, Since the 18 of July last.

---------- VIZ ----------

Vessels Names	Masters Names.	From Whence Coming.	Number of White People.			Number of free Colored and Black People.			Number of Slaves.		
			Men.	Women.	Children under 15.	Men.	Women.	Children under 15.	Men.	Women.	Children under 15.
Schr. Les deux Amis	Joseph Lopez.	Baracoa.	11	7	9	2	5	5	4	7	8
Schr. Favorite	Louis Andrion.	St. Yago de Cuba	2	1	4	2	4	7	8	1	5
Schr. L'Esperance	Gregorio Ramires.	Baracoa.	8	4	3	"	"	"	10	10	18
Schr. El Carmen	Jm Bto Olivares	Baracoa.	10	7	5	1	14	13	2	7	3
Schr. Los Dolores	Sebastian Lopez	Baracoa.	6	3	6	5	6	10	4	8	26
Schr. Republican	Fis Le Floche.....	(with Passengers (taken at Pensacola (on board the Ship (Elizabeth full (of people from (S. Yago.	3	"	"	1	5	3	"	10	3
			40.	22.	27.	11.	34.	38.	28.	43.	63.

I do hereby Certify the above extract amounting to eighty nine white people; eighty three free people of Color & one hundred and thirty four Slaves, to be faithfully taken from the Lists deposited into the Sd. office, up to this date.

New Orleans, this 7th August 1809. Jas. Mather Mayor.

Return of appointments in the Militia of the Territory of Orleans, from the 1st day of January 1809 to the 30th day of June 1809 inclusive.—

1st Regiment.

January	1	Antoine Cavalier	Major
February	2	Thomas H. Fergusson	Captain
"	"	Dominique Rouquette	do.
"	"	J. B. Frette	do.
"	"	John Thibaud	do.
"	"	C. B. Dufau	do.
"	"	John Roques	do.
"	"	Geo. W. Morgan	do.
"	"	Wm. L. Richardson	1 Lieut.
"	"	Francis Bureau	do.
"	"	P. Daspit St. Amant	do.
"	"	Louis Nicolas	do.
"	"	Joseph Tricou Junr.	do.
"	"	Nicholas Gravier	do.
"	4	Francis Duplessis Junr	do. Qr. Master
"	16	Samuel Cornell	do.
January	17	L. G. LeBreton Dorgensy	2nd do.
Feby	2	James Robinson	do.
"	"	Fleury Soubercaze	do.
"	"	Jerome M. Lefebure	do.
"	"	Leonor Wiltz	do.
"	"	J. B. Planche	do.
Feby	2	James Hotz	do.

1st Regiment continued.

Feby	2	Noel Jourdan	2 Lieut.
"	4	Zenon Mombrun	do.
"	14	John . . . Grymes	do.

"	4	Simon Gannaurd	Ensign
"	"	Elie A. Duplessis	do.

2nd Regiment

April	26	Eugene D'Orsiere	Colonel.
		Zenon Cavalier	Major
Feby	10	Piere Hardy	Captain
"	"	Barbin Bellevue	I Lieut.
"	"	Jn. Jques Chesse	do.
"	"	Charles Marty	do. Qr. Master
"	"	Simon Marchand	2 do.
"	"	Charles Pareat	do.
"	"	Cadet Portale	do.
"	"	Augustin Liotaud	do.
"	"	Raymond Montigut	Ensign

3rd Regiment.

Jany	1	Gabriel Jarende	Captain
"	"	Castagual Regio	do.
"	"	Francis Daquin	do.
"	"	Louis Wiltz	1 Lieut.
"	"	Chevalier Regio	2 do.
"	"	Coulon Jumonville	do.

6th Regiment

Jan	16	Augusta Peytavin	Captain

10 Regiment

June	2	Josiah S. Johnson	Major

I do Certify the above to a true extract from the Rec-

ords of the official Axts of the Governor of the Territory of Orleans————W. B. Robertson.
New Orleans,)
June 30th 09)

PARDONS.

1809
Feby 20 P. L. Rouzier—for extortion under the Colour of office (as Justice of the Peace)
May 14 Bernard D. Delisse—for assault & Battery.—

CIVIL APPOINTMENTS—

(Judge.)

March 13 . . . . Thomas C. Lewis _____Ouachitta—

Justices of the Peace

March	29	Samuel D. Earle _____	Parish of Orleans
"	"	W— Dewees _____	do.
"	"	P. J. Missonnet _____	do.
"	"	Francis Deschamps _____	do.
"	"	Marc Lafite _____	do.
"	"	Joseph Montigut Junr. ___	do.
"	"	Simon Ducourneau _____	do.
"	"	John R. Grymes _____	do.
"	"	Peter Colsson_____	do.
"	23	Francis Gonsoulin _____	do of Attakapas.
"	"	P. F. Reguier _____	do.
"	"	" Morfite _____	do.

Justices of the Peace continued.

1809
March 24 Nathan Dix _____Parish of Concordia

"	"	John Calvet _____	do.
"	"	Elijah Cushing _____	do.
"	13	Francis . . . Robin _____	do. of St. Landry in the Opellousas.
May	4	Pierre Aucion _____	do. of Assumption.
"	"	Allin Landry _____	do.
March	22	Issac McNutt _____	do of Rapide.
Jany	20	Peter . . . Latour _____	do— Plaquemine
April	18	Pascal V. Bonis _____	do Point Coupee

Sheriff

June 2 " Rison _____4th Supr. Court District

Mayor

March 7 James Mather Senr _____New Orleans

Recorder.

" " Laveau Trudeau _____New Orleans

Pilot.

Feby 21 George Fram _____New Orleans

Cryer

January 10 John P. Jones ____Circuit Court for the 1st Supr Court District

Special Auctioneer.

1809

May 10 P. A. Guillotte____(" for the sale of horess, carriages & cattle" in and for the City of New Orleans—

I do certify the above to be a true extract from the Records of the official acts of the Governor of the Territory of Orleans.——

W. B. Robertson

New Orleans,)
June 30th 09.)

From James Mather

New Orleans,
July 18th 1809.

Sir,

In answer to your much esteemed favour of yesterday, I beg leave to enclose herein for the information of your Excellency, a general statement of the People brought here from the Island of Cuba by thirty four vessels, two of whom were from Baracoa and the Havannah and thirty two from St Yago.— To that statement I must refer your Excellency, as containing whole number of whites, free people of Colour, & Slaves, and viewing at the same time each class, under the several heads of men, women and children under 15 years of age.—

It is hardly possible to form as yet a Judgement on the general character of the different classes.— It may however be inferred from their conduct since they have lived among us, as also from various other circumstances.—

1stly In what regards the Blacks, they are trained up to the habits of strict discipline, and consist wholly of affricans bought up from Guineamen in the Island of

Cuba, or of faithful slaves who have fled with their masters from St. Domingo as early as the year 1803.

2dly A few characters among the free People of Colour have been represented to me as dangerous for the peace of this Territory; I must however own to your Excellency that in every other Territory but this, the most part of them would not, I think, be viewed under the same light if due attention should be paid to the effects of the difference of language, and if it should be considered that these very men possess property, and have useful trades to live upon.—

In the application of the Territorial law relative to free people of Color, I have been particular in causing such of them as had been informed against, to give bond for their leaving the Territory within the time allowed in such cases.— In the mean time there has not been one single complaint that I know of, against any of them concerning their conduct since their coming to this place.

3rdly The whites persons, consisting *chiefly of Planters,* and *merchants of St. Domingo* who took refuge on the shores of Cuba about six years ago, appear to be an *active, industrious People.* They evince till now, upon every occasion, their respect for our Laws, and their confidence in our Government.— They have suffered a great deal from the want of Provisions both at sea, and in the River.—Several of them have died, and many are now yet a prey to diseases originating, as it appears, from the use of unwholesome food, and from the foul air they have breathed, while heaped up together with their slaves, in the holds of small vessels during their passage from Cuba.— Since a period of nearly three months there have been no less than four hundred poor widows, sick, orphans, or old men, supported by the charity of our Citizens, who have hastened in procuring subscriptions for their relief, and have been as forward in standing securities, in the amount required, for the forthcom-

ing of their negroes, so that the whole number of slaves in the enclosed statement has been delivered agreeably to your directions.—

Your Excellency well knows that it is the fate of every large community never to be totally exempt of some bad members.— We must therefore conclude that time, & perhaps the rather mild features of our Criminal Jurisprudence may give us room to discover at some future Day, among the whites from St. Yago, individuals unworthy of the protection afforded them by the American Government.— But I will observe to your Excellency on the one hand, that I know of no provision established by our Laws, to prevent free white persons who have means for their living, to come and settle in the United States; and farther that I could not anticipate the possibility of future offences, to form a rule in the present case.—

I have the honor to be, very respectfully,

Sir,

your very obedt. hble Servt—

Signed, James Mather Mayor.

Postscript. You will perhaps see with astonishment the number slaves contained in the general statement, to exceed considerably the proportion which it was at first thought they would bear in the emigration from Cuba.— But I request your Excellency to consider that this is the consequence of the great mass of the french population in that Island, having finally given the preference to this part of the Union over the other States, so that the surplus of slaves coming here, will lessen proportionally the number the number which was expected to take a passage to the Ports of the Atlantic.—

J. M.

To his Excellency W- C. C. Claiborne)
Govr of the Territory of Orleans)

To John Graham

New-Orleans, July 19th 1809.

Dear Sir,

Permit me to recommend to your acquaintance and attentions, my friend Mr. Martin Gordon;— He is a very honest man, and sincerely attached to his Country and Government; He has a desire to be introduced to the President and to the Secretary of State & should both or either of them, be in the City, I must beg of you the favour to present him.—

Since my last official Dispatches to the Government, the number of the fugitive French from Cuba, has greatly augmented; they amount now,— encluding whites, black, and people of Colour to upwards of five thousand— and several hundred more are said to be in the River.—

I regret the cause which has thrown upon our Shores so great a number of foreigners,— I would much rather, that the Space in this society, which these emigrants will fill, had been preserved for native Citizens of the United States;— But existing circumstances would not justify me in refusing them the Asylum which they sought. As relates to the slaves, I am not certain, that I took the correct course;— I do not see however, in what other manner I could have disposed of them.— Under the Law of 1808, these slaves were reported to me by the Collector, and I was requested to name a person to whom they should be delivered.— As to their disposition, I had alone to consult my own discretion, for neither the Laws of the United States, or of the Territory had made express provision on this point:— To have them sent out of the Territory, would have been attended with an expense which I had not the means of meeting nor was it easy to select a proper place;— To have confined them in Prison, would have been an inhuman act, it would moreover have been attended with an expense which I was neither authorized or prepared to incur;— to have

deprived the owners of the present use of the negro's, would have been to have thrown them (the owners) as Paupers upon this Community, who are already sufficiently burthened with contributions for the poor, the sick and the aged Emigrants.— These are some of the considerations— which induced me to place the negro's in possession their masters, upon their entering into bond that they shall be forthcoming on the requisition of the Governor of the Territory for the time being;— But these considerations, do not justify my conduct in the opinion of some of my Countrymen in New Orleans,— I am denounced by them as a Frenchman and am in the receipt of more Newspaper abuse that I ever before experienced.—

Present me respectfully to your Lady.

I am Dr Sir,
your friend—
William C. C. Claiborne

John Graham Esqr
Washington.—

To Robert Smith

New Orleans, July 29th 1809.

Sir,

Several Frenchmen, arriving hence, have been arrested on a charge of Piracy.— Two have been tried and acquitted, to wit: Antoine Bouchet, & Jean Marie Arbeau.— The Honorable Judge Hall who presided at these Trials, has been polite enough to furnish me with a copy of his notes on the occasion.— The substance of the testimony adduced in Bouchet's case, will be found in the paper marked (A) and that in Arbeau's case, is contained in the paper marked (B) herewith enclosed.— A man of the name of Petit, was also charged with Piracy but I have understood, that the prosecution against him was waved.— You will observe that several Indictments

were found againt Jean Marie Arbeau;— he was tried on the first, on the 26th Instant, and acquitted,— but was recommitted to Prison.— On the following day, the French Consul Mr. Deforgues, addressed to me a letter of which the enclosure (C) is a copy, and to which I returned the answer marked (D).— Arbeau has since been acquitted on all the Indictments and is now going at large.— These Trials and the News-paper publications particulars in which the refugees from Cuba, are represented as the basest of men, and dangerous to the tranquility of the Territory, have produced here a great share of agitation.— The foreign Frenchmen residing among us take great interest in favour of their Countrymen, and the sympathies of the Creoles of the Country (the descendants of the French) seem also to be much excited.— The native americans, and the English part of our society on the contrary (with some few exceptions) appear to be prejudiced against these Strangers, and express great dissatisfaction that an Asylum in this Territory was afforded them.— I have endeavored to impress reflecting Men, with the propriety of observing moderation in their language and conduct.— But we have here many warm, rash Individuals whose imprudent expressions, aid considerably the views of *a few base characters,* whose sole object is to produce confusion, and who seize on every occasion to bring into contact, the discordant materials of which this community is composed.—

You will have heard no doubt, many rumours of the dreadful mortality among the Troops of the U. States stationed in this vicinity But you may be assured, they are greatly exaggerated.— This climate is, in truth, unfavorable to strangers, and it could not have been expected, that the troops would have been exempt from the deseases common to the Country.— The number of deaths have not been considerable, and the sick List is

not unusually numerous.— I was a few days since at the *Camp* on a visit to General Wilkinson;— I found *it* in excellent order, and every possible exertion appeared to have been used to render the men comfortable.— The position is an elligible one; it is situated about 12 miles below New Orleans, and is represented by several of the old Inhabitants to be as healthy (nor from my own observation, have I any doubt of the fact) as any point on the Mississippi, between Baton Rouge and the Balize.— I have understood, that on order has been issued for the immediate removal of the Troops by water from hence to Natchez or Fort Adams.— I regret the circumstance, because a voyage up the River, at this season of the year, will be hazardous to the health of the men, and because, I consider the presence of a respectable Detachment of Troops, near to New Orleans as being at this period absolutely necessary.—

Since my letter of the Instant, we have had no arrivals at this Port from Cuba; But it is reported that several Vessels with Passengers have recently entered the Balize.— It appears from the National Intelligencer of the 30th of June, that a Law for the relief of the Refugees from Cuba had passed. But I am not advised of its provisions.—

I have the honor to be,
Sir,
with great respect,
yr: hble Servt
William C. C. Claiborne.

The Honorable
Robert Smith
Secy. of State.

To the French Consul

New Orleans July 27th 1809.

Sir,

I am honored with the receipt of your Letter of the morning, advising me of the arrest on a charge of Piracy

of a person named Jean Marie Arbeau, a Mariner in the service of his Imperial and Royal Majesty commanding a vessel of the Government out of "St. Domingo."

I have to observe sir, that Piracy is a crime against all Nations, and is properly cognizable before the District Court for this District.— Of the particulars of Arbeau's case, I am not myself fully informed;— But the integrity and talents of the presiding Judge afford a warranty that Justice will be rendered the accused, and no irregularity in the proceedings permitted.— Several *Bills* of Indictment for Piracy against Arbeau, having, as I learn, been found by a Grand Jury, it becomes proper, that he should undergo a trial on each before a petit Jury of the Country;— But I am persuaded in the facts as you have represented them, were proven in open Court, he would meet a speedy acquittal, and you will permit me to suggest the expediency of your taking that Course.—

I am sorry Sir, that this occurrence should have given rise to any unpleasant sensations on your part;— It certainly affords no cause for irritation, much less can it be considered as a violation of treaties, or of the Laws of Nations. It is true, that Jean Marie Arbeau, who represents himself to be the Commander of a French armed vessel in distress, was permitted to enter the waters of the U. States;— But you are too well acquainted with the general principles of Jurisprudence, not to know, that, that circumstance does not preclude a Judicial investigation of the offence, of which he is accused.— As respects the charge of a Breach of hospitality, which you have thought proper to prefer against this Government, I persuade myself, that on reflection, you will not hesitate to retract it.—In common with the other States and Territories of the United States, the Territory of Orleans has extended and continues to extend an Asylum and the most friendly hospitality to the

distressed of all Nations, and I had supposed, that you yourself Sir, could testify to the fact.—

Pending the Trial of Arbeau, *I cannot in any manner interfere,* nor do I believe, it would be proper in me, in the event of his acquittal, to place him at your disposition.— The practice of delivering up offenders, subjects of a foreign State, to the Sovereign, whose Laws they may have violated, is not now pursued by Nations, unless it be stipulated for by Treaty.— In the convention between the U. States and France there is no provision of that kind, and I therefore should not feel myself at Liberty to comply with your demand.—

It remains only for me to inform you, that I shall lay before the President of the U. States a copy of your letter and of my answer, accompanied with such explanations as shall prevent the Subject to which they relate from being misunderstood.—

I am Sir,
very respectfully,—
yr: hble Servt
(Signed) *William C. C. Claiborne.*

Mr Deforgues,
French Consul.

U. STATES)
vs.)
Cpt. Bouchette.)

Tho. Bailey swore that about 10 feb: 1809 being on a voyage from St. Domingo to Charleston on board the brig Columbia blging to Dr. Torry they were chaced and taken by a schooner that sent a boat of armed men on their coming on board immediately they drove us with the Captain into their boats & would not permit them to go into the Cabin to get papers or clothes. The men who came in the boat abused her and the Americans generally.— They were carried on board the vessel com-

manded by the prisoner at the bar. Bailey asked the captain why he took them, he answered that he had orders to take every American vessel coming from St. Domingo. He also observed that it was very fortunate that they had fallen into his hands, as in all probability had they been taken by others, he (Bailey) wd have been hung. Witness requested Bouchette to show him his commission who refused. In the course of conversation he discovered that the privateer came from New Orleans & the Captain boasted of his trick to get out under pretence of carrying dispatches from laussat to Rochambeau. privateer proceeded to St Iago with witness on board. arrived at St. Iago the day after the brig in company. No (sooner?) after the Captain told them they were at liberty to go on shore. Before the witness left the privateer, saw several parcels of the cargo of the Columbia on board & the officers informed him that they had divided the money amongst them. The Captain appeared to be dissatisfied with the division & thought that he had not a full share of the money w'h was about 1500 Dollars: Witness left the privateer remained at St Iago 2 days, went to Jamaica and came here.—

On his cross examination he said he was informed by a N. American Capt at S. Iago the recd by the admiralty tribunal there, that all he cd obtain sd be an order for the vessels to go on & before that cd be accomplished, the Columbia would be robbed of the Cago.—

W. Fai Clarke proved the correspondence between himself and the Spanish Government in Sep: 1803 respecting the pass on privateer the Coquette, & his letters to the Secy. of the U. States. The Coquette sailed the 7th Nov: 1803 as Laussat pledged himself that no depredations shd be committed on American Cruisers.—

Moreau Lislet the prisoners counsel gave evidence of a Commission dated dec: 1803 signed by Emouff, gov-

ernor general to the possessor for the privateer Coquette. Also an order from Laussat to Bore letter dated 8: Nov: 1803 to carry dispatches to Rochambeau.— Signature of Emouff proved; that of Laussat admitted.—

Judt rendered by the special Commission of prize 24 July 1803 at Ss'nt domingo declaring to be good prize & comitting violation of the final decrees by tready with the brigands.—

A decree of No 3 Consul of france dated 22. May 1803 permits Letters of Marque to be issued by Captain General of the province.

Also several decrees prohibiting vessels trading with the ports of Newsland of St domingo possessed by the rebel blacks.—

The above was all the important testimony— The Judge was of opinion that no piracy had been committed & the prisoner was acquitted.—

U. S.)
vs.)
J. Marie Arbauld)

It was proved on the trial that the prisoner sailed for Santo domingo on the day of X last atarting after they took a fisherman's cargo left the bayou. They arrived the bay & continued to cruise: met several english & Spanish vessels took prisoners & their articles: They stopped a Spanish vessel belonging to a frenchman; they threw over board the cargo arms, &c & cruised with both vessels: off St Iago met an American vessel, made her come to, took prisoners from her & released her: Soon after took a small Spanish vessel: chased another Spanish vessel: crew escaped, took the vessel, laden with ——— & Sugar, threw the cargo over board took possession of the arms & sunk them in vessels—met several other Spanish vessels:——

———————— On their cruise they met a vessel of Fruit bound to Baltimore Capt Lavanie: The vessel's name was the "Rustico." Also under Jules who was a passenger on board the Rusticoe found her to be an American vessel: The privateer sent two boats; the American Captain sent on board prisoners vessel: the man from the barge visited the trunks, took clothes, &c. and three pounds of indigo: it was carried on board the prisoners vessel. The ——— of indigo weighed from 140 to 150 pounds each: The witness Jules is certain the cargo was taken with a felonious intention: This happened on or about May 10th last: They met another *American vessel* & made her come to took prisoners from her.—

One of the witnesses (Bellecase) on his cross examination said that J. Marie Arbault was accompanied by the commissary of the navy at Santo domingo. that the object of the commissary was to procure provisions for Sant domingo then in great want of them? He accompanied the prisoners to So. domingo. they met several vessels loaded with them & he has not returned to Santo domingo since they came out.

a paper was offered by the prisoner's counsel called a Vole d'equipage dated 12. Mar. last for the Carriere of Virginie: It had several erasures. It was not signed by any person or general.

The Jury acquitted the prisoner.—

He was again tried on a charge of piratically taking provisions suits, &c from another American vessel—— the fact was established.— M. Deforgues the french consul was then called; he testified that the prisoner was legally commissioned in command of state vessels: that he is a midshipman in the navy of france: that he recognizes him as such:

M. Cavalier is an officer of the french navy: he knew the prisoner: he was legally commissioned on a vessel of State as a midshipman in the navy.—

The prisoner was acquitted:

a third charge was presented no evidence was offered & the prisoner was acquitted.—

To Robert Smith

Private/ New. Orleans July 30th 1809

Dear Sir,

The enclosed letter addressed to me, by the French Consul (M. Deforgues) is, at his request, transmitted for your perusal. I have given M. Deforgues no reason to believe, that the Government would accommodate him in the manner proposed;— On the contrary I stated, that the Executive of the United States, had no authority to draw monies out of the Treasury except in conformity to the provisions of some existing Law, & that I apprehended the advance could not be made.— The conduct of Mr. Deforgues has throughout been uniformly respectful to the constituted authorities, and I regret the embarrassments to which he is subjected. You will oblige me by acknowledging (if only by one line) the receipt of this Letter.

I am Dr Sir,
With respect & esteem
Your Obt Servt.
William C. C. Claiborne.

The Honble
Mr. Smith
Secy. of State.

To Robert Smith

New—Orleans, August 5th 1809.

Sir,

The act of Congress "for the remission of certain penalties and forfeitures and for other purposes," did not reach me, until the evening of the 3rd Instant, and on the following day, I addressed copies of the same to the American Consuls at Havanah and St Yago, accompanied with a letter of which the enclosed is a Copy.—

Having for several days felt myself extremely un-

well, I propose seting out on the morning of the 8th Instant for Attakapas, for the purpose of enjoying the Country air, and passing (if circumstances will permit) a few weeks quietly with my family, free from the immediate labours of my office, and in some degree removed from the calumnies and intrigues of this corrupt City.— Of late the news-paper abuse has been intolerable, and no one so much the object of it as myself.— The principal cause of this is, *the power of appointing to office.* Among the numerous adventurers to this Territory, are many native Citizens of the U. States; *they,* for the most part, are needy, and finding it difficult to maintain themselves by private pursuits, they become pressing applicants for office.— I can provide only for a few, and when *an appointment* is made, I have generally found (as was formerly experienced by some person mentioned in history, whose name I have forgotten) that *it* tended only to make one man ungrateful, and to add forty or fifty to the number of my enemies.— If you should give yourself the trouble to read the news-papers of this place, you will perceive that the asylum afforded here, to the unfortunate Exiles from Cuba, continues a cause of great complaint against me.— I repeat (what I stated in a former letter) that many good Americans are dissatisfied with so great an influx of foreigners.— But the most clamorous, are those residents among us, whose hearts are either wholly English or wholly Spanish.—

Another charge exhibited against me is, that I have given my confidence and patronage to Frenchmen, to the exclusion of native Americans.— In truth I am not conscious of *any bias, other* than towards native Americans and which I have wished to restrain, for in my character as Governor of the Territory, I have considered it a duty to be just to the various descriptions of people, of which the population is composed, and to conciliate the affections of all towards the Government.— Hence

it is, that I have endeavored to adhere to the policy (which I have reason to believe the general administration approved) of dividing the offices as nearly as may be, between the native Americans, and the Creoles, or Ancient Inhabitants of the Country; But it has so happened, from the quiet, unembittered disposition of the Ancient Inhabitants, that contrary, to what I had desired, *nearly all the offices of profit,* and an *equal Share of those of trust only,* are possessed by native Americans;— But they nevertheless are discontented.— The fact is Sir, that my Countrymen (with some few exceptions) who have emigrated here, altho' they do not exceed one Sixth of the population, would wish to govern the Territory, to the entire exclusion of the Ancient Inhabitants, nor will any Governor be popular among them, who does not accede to this unreasonable pretension.—

I have the honor to be,
Sir,
with great respect
yr: mo: obt. Servt.
William C. C. Claiborne.

The Honorable
Robert Smith
Secy of State.

To James Mather

Sir, New Orleans, August 9th 1809.

I have the honor to enclose you a Copy of an Act of Congress, "for the remission of certain penalties and forfeitures and for other purposes," —and must beg the favor of you to communicate its contents to such Masters of Vessels as may be about to depart from St Yago for a Port in the U. States:— It will serve, I hope to induce them to avoid the difficulties, to which, by taking slaves on board, they will be subjected.—

The Refugees from Cuba who have arrived in this

Territory have experienced the most friendly hospitality; — But their number is becoming so considerable, as to embarrass our own *Citizens,* and I fear, *they* will not be enabled much longer to supply (as fully as they would wish) the wants of these unfortunate strangers.— You will therefore render a service to such of the French as may not have departed from Cuba, by advising them to seek an Asylum in some other District of the U. States.—

As regards the people of Colour, who have arrived hence from Cuba, the Women and Children have been received; —But the males above the age of fifteen, have in pursuance to a Territorial Law been ordered to depart.— I must request you Sir, to make known this circumstance, and also to discourage free people of Colour of every description from emigrating to the Territory of Orleans;— We have already a much greater proportion of that population, than comports with the general Interest.[1]—

I am Sir,
with great respect,
yr. hble Servt—
/ Signed / *William C. C. Claiborne*

Maurice Rogers
American Consul
at St Yago de Cuba.

To Robert Smith

New—New Orleans, August 9th 1809.

Sir,

I enclose for your perusal a correspondence between the Mayor of New Orleans and myself relative to the Refugees from Cuba.— You will observe, that their general character is still represented by the Mayor as respectable, and their conduct continues irreproachable.—

[1] This immigration of so many free people of color accounts for the large number of that class in Louisiana.

It would be a relief to me to be advised of the President's opinion, as to the course proper for me to pursue, in the event that the French should be ordered to depart from all the Spanish American possessions, and should (with their slaves) seek an Asylum in this Territory.— I am daily in expectation of receiving information, that the French in East and West Florida were ordered off.— I am now on my way to Attakapas[1] where I expect to continue, until the last of next month, unless the public service should require my presence in the City, at an earlier period.———

I have the honor to be,
Sir,
very respectfully,
Robert Smith Esqr yr: hble Servt——
Secy of State.—— William C. C. Claiborne.

To James Mather

(Copy). New Orleans, August 4th 1809.

Sir,

Will you be good enough to answer as soon as your convenience will permit the following question:—

1st How many persons have arrived at this Port from Cuba, since you report to me of the 18th Ultimo?—

2nd What is the general conduct of the Cuba Refugees?— are they industrious?— Do they manifest due respect for the Laws?—

3rd What pursuits do they appear to be engaged in? Are there many mechanics among them?—

4th How many have died since their arrival? Do they still appear to be sickly? Are any afflicted with maladies which appear contagious?—

5th Do they seem desirous to retire into the interior of the Territory?— Or do they appear to wish to fix themselves permanently in this City?—

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[1] On a visit to Mrs. Claiborne's father.

6th Have you been enabled to execute the Law of the Territory as relates to the freemen of Colour?— Are they retiring from the Territory, and to what place, do they seem to give a preference?—

And lastly, will you be pleased to inform me the general state of the City, as regards its health and police.—

I am sorry to impose upon you so much trouble; But it is indispensable, that I should keep the President of the U. States correctly advised on all those matters, and I know of no source from whence, I could receive information more to be depended upon, than the Mayor of New Orleans.—

I renew to you the assurances of my confidence, esteem and respect.—

I am Sir,
very respectfully,
yr: hble Servt
Signed / William C. C. Claiborne.

James Mather Esqr
Mayor of New Orleans—

From James Mather

(Copy) New Orleans, August 7th 1809—

Sir,

My delay in answering the questions No. 1 to 6, contained in your Excellency's letter of the 4th Instant, has its cause in my wish of being more particular and of procuring upon each point, information that can be relied on.—

1stly The enclosed list of passengers from Cuba, will be a solution to question the first.— The Brig Hunter from Barracoa and the ships— Madison, & two Brothers from St. Yago, have come to Port since the formation of the List, and have on board about six hundred persons from Cuba.—

2dly The next point relates to the general conduct

of the Cuba Refugees, & leads me to repeat to your Excellency the same testimony, I have given in their favor the 18th of July last.— I have not had one single complaint lodged with me against any of them, since the first arrivals to this date,— Their conduct generally breathes respect for our Laws; and their industry and activity must be astonishing indeed, since it has till now afforded the most part of those who had no slaves, the means of lawfully getting a livelihood; and that too, in Spite of the increase of prices of house rent, and of many other difficulties.—

3rdly Out of the whole number of male grown persons it must be admitted that *two thirds of them possess some trade.*— Several among them who once possessed estates, or belonged to wealthy families in the Island of St. Domingo, now follow the occupations of Cabinet Makers, Turners, bakers, Glaziers, upholsterers; and I will venture to assert that in the above, and twenty other different trades, there are not less than six hundred men from Cuba usefully employed among us, at this present time.— There are unfortunately among the white Refugees, many poor women both old and young, and some old or disabled men who can not provide for themselves, and will remain a burthen on the Community so long as there will be no alms house at New Orleans, and our charity Hospital shall remain in its present unimproved State.—

4thly By the extract delivered this morning to me by the curate of this Parish, the total of deaths in June and July last, amounts to 24 white persons from Cuba; 10 of whom were children under 5 years of age, and five were above fifty; according to the same document forty two persons of color from Cuba have died during the same period, 32 of whom were children under 5 years, and four above fifty years. In order to form a better judgment on the State of the health in our City, I have requested Drs.

Montegut, Spencer & Robelot to proceed to a minuate examination in this behalf, and to report in Common to me on oath under their signatures respectively.— Being not yet in possession of this Document, I see by the statement of sick persons from Cuba made by the Comissary of police, according to my directions, that the number of sick whom he has been able to discover amount to about 70 white persons of all ages; ——— That the maladies in the children are generally due to teething and to worms.——— That in the grown persons, intermittent fevers, fluxes, and affections of the scurvy generally prevail.——— I shall add that nobody can with any appearance of reason contend, that there has been during this season, an instance of contagious sickness known to exist throughout the City and its suburbs.———

5thly In order correctly to answer this question, it would perhaps be necessary to give room to the Refugees themselves, to express their own wishes.—— They have been till now necessarily detained in Town on account of their slaves; And the longer they will be compelled to stay in Town, the less they will feel disposed to settle in the more distant parts of this Territory.—— Uncertain of what should be the decision of Congress, their first and sole reasonable object was to hire their negroes and procure for themselves the necessaries of Life.—— Even now they know not when they can be freed of the obligations under which they stand with regard to their bondsmen who have subscribed securities for the forthcoming of their slaves at the call of Government.—— How can they under such circumstance consider of any extensive plans of establishment.— They must live by the day, so long as their situation continues so;—— And should they be relieved too late, I fear that the approaching winter will be another obstacle to their settling abroad before next Spring.——

Should the federal Government feel disposed to sell

lands to them in the different parishes of this Territory at moderate prices, and upon easy terms, provided that the purchasers should go & settle on the Lands sold &ca, &ca, I have no doubt that the result would be the settling of many new plantations, which would give in large crops of cotton and other produce before three years time.—— At all events, an advertisement to that effect, would better than any other means proposed, give your Excellency an exact answer to this question.——

I have only made mention in this part of my letter, of persons who own slaves, because I consider their settling in the Country as the surest means to determine a large proportion of tradesmen, to do the same.——

6thly I have caused all free men of color above 15 years, who have come within my reach to give security for their departure from this Territory, as the law directs.—— 64 bonds have been subscribed to that effect with sureties either at my office, or at Mr. Missonet's; and I have further to observe to your Excellency that many men of color who had been compelled by the Commissary of Police to make a first appearance, having been granted some delay to show proof of their freedom, or to procure securities, have not returned, and could not be found since.——

I know but of few men of color who have left this place.—— I have delivered passports only for Natchez passing thro' the wilderness.—— I have however reason to believe that several of them have sailed for the Atlantic States, and that others will endeavor to return to St. Domingo if they find a chance to do it.—

Lastly, with regard to the general police of our City, your Excellency knows under what difficulties I am exercising the powers vested in me.—— Since about two years, the business of my office has been daily increasing. —— I have nevertheless endeavored to keep apace with it constantly.—— Other persons will better than myself,

judge whether I have succeeded as far as the means placed in my hands could permit.—— In the mean time, the ill success of the litigious concerns of the corporation relative to the cabins on the Levee, the Bayou Bridge, the Batture, &ca, &ca, have rendered the enemies of our corporate interest more enterprising.—— Attacks have been directed against our acknowledged rights, by Mr. Tréme — in obstructing the common sewers below the Town, under pretence that the ground where the fortifications stood was his prior to the erection of the fort; ——By Mr. Lafon, in trying repeatedly to take possession by force of nearly one half of the ground betwixt the Suburb St. Mary, and the Town, comprised within the six hundred yards of commons acknowledged and confirmed to us by Congress.—— Other persons *are digging out from underground* dead titles of grants, of which they were ever refused the possession by the former Government, and yet they entertain a strong hopes of getting the same acknowledged by the board of Land Commissioners, in spite of the pre-existing rights of the City.——

Support and encouragement are shown to every one who sets himself in opposition with the City Council and the Mayor.—— In that state of things, I have oftentimes found the least disposition to obey our police Laws, on the part of those very persons who have the most cause to wish for a preservation of Civil order.— Upon the whole, I have no occasion to complain of the greatest part of the population.

I have the honor to be,
very respectfully
yr: mo: obt. hble servt.
Signed Jas Mather Mayor *of Orleans*

To His Excellency
Wm. C. C. Claiborne, Govr. of the Territory of Orleans.

Vessels Names.	Masters' Names.	From Whence Coming.	Number of White People.			Number of free Colored and Black People.			Number of Slaves.		
			Men.	Women.	Children under 15. years.	Men.	Women.	Children under 15. years.	Men.	Women.	Children under 15. years.
	Amount Brought up..	.....	729	354	335	178	608	583	452	651	392
Brig Fair America	A Barges	St Yago de Cuba.	23	7	6	8	38	23	31	29	16
Schr. Mary Ann	Jos Within	Baracoa.	39	16	19	5	16	14	7	31	18
Ship Genl. Green.	Wm Jefferson	St. Yago de Cuba	27	22	18	11	58	53	37	61	36
Schr. Brisbane	Wm Rock	..... do	34	11	11	27	53	33	13	14	8
Ship Robert	Mem M. Shackford	..... do	63	9	9	21	76	89	23	58	30
Sch. L'Esperance	Pedro Gabbart	..... do	34	14	18	21	43	39	11	18	17
			949	433	416	271	892	814	574	862	543

RECAPITULATION

Number of White People.....	(Men ..... 949) (Women ..... 433) (Children ..... 416)	1798	
Number of free Colored & Black People.....	(Men ..... 271) (Women ..... 892) (Children ..... 814)	1977	
Number of Slaves	(Men ..... 574) (Women ..... 862) (Children ..... 543)	1979	
	Total.....	5754	

I do hereby Certify the above Extract to be faithfully taken from the lists deposited into the said office up to this date.

New Orleans, this 18th day of July 1809.
Jas. Mather Mayor.

To Robert Smith

Territory of Orleans
County of Attackapas August 18th 1809.

Sir,

I arrived here a few days since, and shall most willingly pass five or six weeks at this pleasant and retired situation, provided no occurrence should intervene to call me earlier to New Orleans.—— Having made arrangements for the receipt, weekly, of dispatches from New-Orleans, I have this day, received a most satisfactory report of the state of the health of that city, & which I now enclose for your perusal.

I have the honor to be
Sir,
Very respectfully

The Honble
Mr. Smith
Secy of State.

Your hble. Servt,
William C. C. Claiborne

CITY & PARISH OF NEW ORLEANS,)

I do hereby certify that after a very minute and careful examination of the lists of white passingers of free people of Color, and of Slaves, which lists were rendered in at this office by the Masters respectively of the five following vessels, to wit; The Ship General Green Captn. Jefferds, Ship Arctic, Captn. Davis, Brig fair America, Barges, Brig Francis, Gardener, & the Schooner Freeman Ellis, Sparrow,

It appears as to the first vessel, that the Persons, who, as owners, bonded the Slaves——which were brought or imported in that vessel, were passingers on board, and accompanied them to this Port;

The same as to the Brig Fair America, The same fact appears as to the Arctic, with one exception, to wit; one Slave bonded by a certain feuillet or *Boisfeuillet,* whose

name is not to be found on the list of passengers; The same appears as to the Freeman Ellis, except the bonding of three negroes by a Certain Correjeolles, and of two by one Baze, whose names are not in the lists given in; And the same as to the Francis except six Slaves bonded by three persons whose names I have not been able to discover in the lists, It appears that several lists being written in english, and copied off from the original one given by different passengers on board of each vessel, are very incorrect as to the orthography of the names of the Passengers, which may easily have been mutilated, and sometimes totally changed by persons not very familiar with the sounds of the french names; and I do further Certify that owing to these causes particularly, I have found it very difficult in many instances to locate a french name accurately Spelt in the bond taken at my office, to the Captain's lists of passengers.

In testimony whereof
I have hereunto Subscribed
my name, and caused
the seal of the Mayor-
ralty of the said City
to be affixed, at the
City aforesaid, this 21st
day of August 1809.
By special order of
the hoble. Jas. Mather,
Mayor of the City.
F. Chabaud,
Secretary.

)
City of new orleans to wit)
)

Personally appeared before me Sam. D. Earle one of the justices of the peace in and for the city aforesaid and

Francais Helisson & made oath that she came as passenger in the brig francis Capt. Gordon from St. Iago & owned the slaves which she bonded at the mayors office.

her
Francais ——— Hellisson
mark

Sworn and Subscribed)
)
to before me this)
23 Day of august)
1809, at the city of)
New orleans.)
Saml D. Earle
Justice of the peace.

)
City of n. orleans to wit)
)

Personally appeared before me Sam. D. Earle one of the justices for the city of new orleans marie Catherine Guerin and made oath that she came in the Brig Francis Capt. Gardner from St. Iago in the Island of Cuba and that the slaves which she bonded at the mayor's office, was her property which she brought with her to this port.

her
Marie Catherine ——— Guerin
mark

Sworn and subscribed)
to at the City of New)
orleans this 23rd day)
of august 1809)
Before me Saml. D. Earle)
Justice of Peace.

Brig Francis, Capt Gardner arriv'd June 18th)
)
Schooner Freeman Ellis ——" June 22)all have
)
Ship —— Arctic —— Davis " June 22)cleared &
)
Brig Fair America " July 1)left the
)
Ship General Green, Gefford " July 6)Port.

The Brig Francis, was the Seventeenth Vessel that arrived from S. De Iago De Cuba with Slaves.

Custom House Augt. 23d. 1809
Jams. Croudpot

do. Dispatch, ----------Rogers—
do. Collina, ----------Warnum—
Sloop Polly, ----------Minor—
Brig Fair America, ----------Barges—
Schoor. Little Mary, ----------Peters—
Schoor. Milford, ----------Handy—
do. Freeman Ellis, ----------Sparrow—
Brig Francis, ----------Gardner—
Ship Robert, ----------Shackford—

which arrived at this Port from

)
CITY and PARISH of NEW ORLEANS)
)

I, James Mather,
Mayor of the City of New Orleans, in the Territory of Orleans,

Do hereby Certify that the following Vessels to wit,
The Ship Arctic, ----------Capt. Davis—
do. General Green, ---------Jefferds—

Schoor.	Swift,	Watts—
do.	Dispatch,	Rogers—
do.	Collina,	Warnum,—
Sloop	Polly,	Minor,—
Brig.	Fair American,	Barges,—
Schoor.	Little Mary,	Peters,—
do.	Milford,	Handy,—
do.	Freeman Ellis,	Sparrow—
Brig	Francis,	Gardner,—
Ship	Robert,	Shackford,—

which arrived at this Port from St. Yago in the Island of Cuba, brought in all together the number of Eight hundred eighty four Slaves, according to the lists delivered into my office by the Masters of the said Vessels respectively, and that the aforesaid number of slaves have been claimed by persons, whom I have every reason to believe to be the true owners thereof, coming with their property from the Island aforesaid; and I do further Certify that under an order of his Excellency W. C. C. Claiborne, bonds have been entered into by the persons claiming the said negroes with Sureties, as aforesaid for the forthcoming of the said Slaves, when demanded.

In testimony whereof I have
hereunto subscribed my name
and caused the seal of the
Mayoralty of the said City
to be affixed at the City
aforesd. this 29— day of August,
1809.

Jas. Mather Mayor.

)
City of N Orleans)
)

Personally appeared before me Noty J'' Ducourmay assigned one of the justices of the peace in and for the City, of N orleans Jean Jacques Boisfeuillet & made oath that he came in the ship arctic from St. Iago & brought with him the slave which he bonded at the mayor's office ———— he further states that the french at the time of the general emigration to this place were forcibly expelled the Island —— That he by hurry in getting on board —— from apprehension of danger lost much of his property —— he supposes that his name was badly spelt in the list of passengers & therefore could not be found at the mayor's office.

Boisfeuillet

J'wée & affirmé le contenu ci-desus
sincére & véritable Nl. orleans
Le 31 aout 1809.

Jm. Ducourmay.

)
City of new orleans to wit)
)

Personally appeared before me Sam D. Earle one of the justices for the City of New Orleans, Claudi Grare & made oath that Madame Edain came as passenger in the brig Francis from St. Iago in the Island of Cuba to this port & that she owned the slaves which she bonded at the Mayor's office & brought with her to this port; this affiant is the friend and agent of mad. Edain whose ill state of health, being now confined in bed, precludes

her from attending personally to declare upon oath what this affiant does verily believe.

Sd Mme Lre Edain
GRARE

Sworn and subscribed)
to Before me at the)
City of New Orleans this)
23 day of August 1809)

Saml D. Earle
Justice of Peace.

)
City of orleans to wit)
)

Personally appeared before me Sam D. Earle one of the justices of the peace in and for the city of N orleans Pierre Bazzi & made oath that he came as passenger in the schooner Freeman Ellis, Capt. Sparrow from St. Iago in the Island of cuba, to this port & was the bona fide owner of the slaves which he bonded at the mayor's office & that he with others was compelled to leave the Island by proclamation of the Spanish Governor.

his
Sworn and subscribed) Pierre X Bazzi
to Before me at the) mark
City of New Orleans)
this 23d Augt 1809)

Saml. D. Earle

)
New orleans to wit)
)

Personally appeared before me Sam. D. Earle one of the justices in & for the city of new orleans Gabriel Corrajolke & made oath that the three negroes which he

bonded at the mayor's office came in the Schooner Freeman Ellis Capt Sparrow from St. Iago & were brought here by his brother in law together with himself were at the same time forcibly expelled from the Island.

G. Corrajolke

Sworn and Subscribed)
to at the City for New)
orleans this 23rd Augt)
1809)

Before me Saml D. Earle
Justice of Peace.

James Madison
President of the U. S. of America.

We Subscribers, refugees and sufferers of the late political occurrences which have taken place on the Island of Cuba, being in the necessity to go to France, humbly beg that a vessel should be—— cleared from this port, with a flag of truce for Nantz or Bordeaux, in order that we may be transferred there with our family and baggage only—— Our number cannot be properly ascertained at present, by the continual emigration of other fellow sufferers from Cuba to this place, and from the degree of sickness now prevailing among them: It is by that reason impossible to fix on the size of a particular vessel, which then may be left to the discretion of the Collector of the port, when the permission is granted, and the necessary papers —— obtained for the free navigation of the vessel in question.

With due respect for your person we beg the acceptance of our sincere wishes for the prosperity of your administration.

New Orleans 5th. Septr. 1809.

Santo domingo
Santo domingo Isld

Cps. LeJeune Malherbe

Pre Petit

Paty
joseph garbeau Jm Dajuon.
Panuel
G. Corrajolke
Besset Fleury
E. Cardinam P. Hubert
Begot.
Chles. mizire. Beaugerye.
pouffit.
Pre Dupargue Bierre Chatryfille
Lachataisque rais.
Prm de Coming & Son fils.
hy Barbet
Wernon
Jp Momcet
Wm. Berquico
jean Baptiste Chiehon.
Francs. Montomat.
A. faltel.
P. A. Gay
S. Dufeuré
T. T. Toussaint
Le Roy jean gramond
P. Granomant
Ln Malingues P. Patouchéz
K. d'Abnous
Lambert.
L. G. Hiligsberg Dunay Minotte.

N. B.—— the following persons have begged their names to be added here:—

A. Lafargue Milton Congues chambert
quelquejau J. C. Mairot Mongrue Jaime
Phillippe De Neufbourg Durre Petitsofau
Selmas n. Marchant
S. fouriere
Ballon des Revenes honoré

To Robert Smith
Four Leagues from New-Orleans.
October 23rd 1809.

Sir,

I have the honor to enclose you a Duplicate Copy, of a Letter——— addressed you on yesterday, & transmitted by a vessel bound for New York. —— I have not by me, the communication of M. Dubourg's to which I have reference, and it is some time since I read it; But I am sure, I have quoted correctly its General Contents.—

Captain Porter has shown me a Letter, which in the absence of the Secretary of the Navy, has been addressed to him by order of the Secretary of State & of the Treasury, & has also stated to me, what had been his prior communications to the Navy Department.—— Like —— conversations to those related by Captain Porter were never holden with me, by the Officer aluded to.

I am Sir,
With great respect

The Honble)
Mr. Smith,)
Secy. of State.)

Your hble Servt
William C. C. Claiborne.

To Robert Smith
At Mr. S. Dufossat's
12 Miles from New-Orleans,
November 5th 1809—

Sir,

I was honored by the last Mail, with the receipt of your Letter of the 12th. of October, and I beg you to be assured of the fidelity, with which (as far as may be in my power) the Instructions of the President will be complied with. ——— On the same day, that I forwarded to you from Attackapas the Letters transmitted me by Mr. Missonnet, I enclosed also copies of the same to General Wilkinson, accompanied with a request, that he would inform me of the result of his Enquiries upon the subject. —— I also wrote to Mr. Missonnet, thanking him for his

communications, and requested him to keep me advised of such further information as he might acquire.—— A few days thereafter, I was taken ill of a fever, and continued for some time, in such bad health, as not to be enabled to pay as much attention to my official duties, as I could have wished.—— The receipt of the Letter I addressed to General Wilkinson, has never been acknowledged, nor do I know what Enquiries, he may have made of Lieutenant Newman! Soon after my arrival at this place I was visited by Mr. Mather Mayor of New-Orleans. —— In the course of our conversation, I made some allusion to Mr. Missonnet's communications, and found that the Mayor was as well informed upon the subject as myself. —— Mr. Missonnet had esteemed it his duty, to furnish the Mayor with copies of the letters, signed Francis Newman, and the Mayor being informed by Mr. Missonnet, that he had already advised me fully on the subject, transmitted the copies received by him, to General Wilkinson.— The Mayor informed me, also, that suits were commenced by the persons named in the Letters, signed Francis Newman, and F. N. against the *two Spaniards* who carried the originals to M. Missonet, *for Damages*, and that the deffendants were held to Bail in the sum of fifty —— thousand Dollars. —— The Mayor further stated, that the Letters, signed Francis Newman, & F. N. were thought to be forgeries. ——I asked him, where the original Letters were; he said, they were returned by Mr. Missonnet to the persons, from whom he had received them.—— I mentioned to the Mayor, that notwithstanding the suit, I was by no means satisfied on the subject, and that I much doubted, whether the letters signed Francis Newman & F. N. were forgeries.

On the receipt of your letter, which reached me late on the evening of the 2nd Instant, I immediately requested an interview, with Mr. Grymes the District Attorney, and he was with me on yesterday;— I shewed him in con-

fidence, your communication, and had a frank understanding with him on the subject to which it relates.—— Mr. Grymes confirmed what the Mayor had previously stated to me, and said, that he had been applied to, to support the cause of the Plaintiffs.—— But that the letters signed *Francis Newman* and *F. N.* had not been shown him, and related some *circumstances* attending the transaction which excited his suspicions:—— *These* he will probably communicate to you. —— Mr. Grymes, will co-operate with me, (if the occasion should demand) with great promptitude and zeal, I have requested a visit from Mr. Missonnet, & expect to see him on this evening or in the course of tomorrow, but as the Mail departs early on tomorrow I was unwilling to delay acknowledging the receipt of your letter of the 12th and will reserve for a second communication, such farther information as I may obtain from Mr. Missonnet.——

I must confess Sir, that when the letters signed Francis Newman and F. N. were received by me, I was strongly impressed with an opinion, that they were written by Lieutenant Newman of the army, nor have I yet reason to believe that such impression was erroneous. Lieutenant Newman was stationed at Natchitoches, and is represented to be well acquainted with the Language (French) in which the letters are written.—— He had married the Daughter of a Spaniard, with whose family, Soles, to whom the letters are directed, was connected.— Hence Mr. Soles is addressed "Dear Cousin."—— The Mother of Mrs. Newman had had recentley died, and Mrs. Newman (as I have understood) is pregnant, both which circumstances were alluded to in the Letter signed "Francis Newman."—— I however hope soon to learn from Newman himself, what it is he does know, for in obedience to your instructions, I wrote on yesterday, to Colonel Freeman the officer Commanding at Nachitoches, and requested him to order Lieutenant Newman to de-

scend without delay to New Orleans.—— I gave Colonel Freeman to understand, that I wished to converse with Newman on an interesting subject, & that I had authority, from the Secy of State "to obtain from any officer having the power to issue it, an order for him to repair immediately to New Orleans."—— I requested Colonel Freeman to consider my letter to him "as confidential," and added that it was neither "necessary or proper that Newman should be apprised of its contents,"—— that he (the Colonel) "need only to write a letter to me—— Order Newman to repair to New Orleans;—— to deliver the same in person and await my answer."——

I have not heard of General Hampton's arrival in the Mississippi Territory, where the Body of the Troops now are, and as the officer commanding at Natchitoches had the power to issue it, I thought it best to apply to him for the order respecting Lieutenant Newman!

At all times, the *utmost vigilance* on the part of the officers of the Government in this Territory, is essential, but it is particularly so at the present period, when foreigners and *Strangers* are daily arriving among us; *of whom,* many are of doubtful character and desperat fortunes, and may (probably) become willing instruments in the hands of those unprincipled, intriguing individuals, who would wish to disturb the *peace, and Union* of the American States. That there are such individuals in this Territory, I have long since known, and I have no reason to believe, that their hostility to the interest of the U. States has in the least abated.——

You are already acquainted with the difficulty and anxiety which the Emigrants from Cuba occasioned me; ——I anticipate like difficulties with the French Emigrants from Sto. Domingo and Jamaica, who I suspect will repair hither with their slaves.—— But to prevent if possible, this emigration, I advised you (in a late letter) of my intention to write immediately to our Consul at

Jamaica, and that I had applied to Captain Porter for a public vessel to carry my dispatches.—— What I had anticipated, is already in some degree realised:—— A Vessel is in the River from Jamaica, with French passengers and fifty Negroes.——So soon as I heard of their arrival which was on the morning of yesterday I addressed a Note to Captain Porter, requesting to know "when the public vessel he was good enough to promise me would be in readiness, and expressing my wish to dispatch her in the course of the ensuing week."—— I am momently in expectation of Captain Porter's answer.—— The Officers, composing a part of the Garrison of St. Domingo are still in New Orleans; I believe the City Council will advance on the Credit of the French Consul, the funds necessary to enable them to proceed to some one of the Atlantic States, where it seems, they are desirous to repair.——

I this moment learn, that Mr. Missonnet is very much indisposed, and I probably will not see him as soon as I expected.——

I have the pleasure to inform you, that my health is nearly restored, & on the 7th of this month, I propose to return (with my family) to New Orleans.

I have the honor to be
Sir,
With Great respect—
Your mo: obt. Servt
William C. C. Claiborne

The Honbl
Mr. Smith
Secy of State
Washington.